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ABSTRACT

The quality of education obtained by student-athletes in large-scale collegiate athletic programs is assessed. Attention is directed to a proposed bill that would require university athletic departments to maintain an accurate accounting of all athletes under scholarship, organized by sport, in order to evaluate their academic progress. The following concerns are addressed: the case of athletes who have academic ability but do not succeed because of time demands placed on them by athletics; the dilution of academic standards to accommodate the student-athlete; and the extent to which athletic scholarship programs respond to the needs of student-athletes no longer able to participate in college athletic programs. Additional considerations include: the initial eligibility of the student-athlete; the extent to which student-athletes are awarded inappropriate passing grades; and the problems student-athletes face in accumulating enough credits to graduate in 4 years. The proposed bill would require institutions to make an educational commitment to the athlete at the time of recruitment. If it took 4 or 5 years for the student to graduate or if the individual was injured, the scholarship would not be terminated. Suggestions are offered that college presidents should get involved in college athletic issues to stop abuses. (SW)

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OVERSIGHT ON COLLEGE ATHLETIC PROGRAMS

HEARING

BEFORE THE

SUBCOMMITTEE ON
EDUCATION, ARTS AND HUMANITIES

OF THE

COMMITTEE ON
LABOR AND HUMAN RESOURCES
UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

SECOND SESSION

ON

CONSIDERATION OF THE QUALITY OF EDUCATION OBTAINED BY STUDENT ATHLETES IN LARGE-SCALE COLLEGIATE ATHLETIC PROGRAMS

JUNE 26, 1984

U.S. DEPARTMENT OF EDUCATION
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OVERSIGHT ON COLLEGE ATHLETIC PROGRAMS

TUESDAY, JUNE 26, 1984

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES,
COMMITTEE ON LABOR AND HUMAN RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:02 a.m., in room SD-430, Dirksen Senate Office Building, Senator Robert T. Stafford (chairman of the subcommittee) presiding.

Present: Senators Stafford and Metzenbaum.

OPENING STATEMENT OF SENATOR STAFFORD

Senator STAFFORD. The Subcommittee on Education, Arts and Humanities convenes today to consider the quality of education obtained by student-athletes in large-scale collegiate athletic programs. As a former college athlete, believe it or not, I must admit to a special interest in this topic and, in particular, in the perceptions of the witnesses who are here with us today.

I should also like to acknowledge the efforts of Senator Metzenbaum and the impetus he has provided for a balanced evaluation of the educational needs and concerns common to athletes in big-time collegiate programs.

The subcommittee is always pleased to welcome participation of full committee members, particularly in areas in which our colleagues hold such a keen and informed interest, and we are glad that the distinguished Senator from Ohio is with us today.

As one who feels strongly that the primary mission of our Federal education programs must be the provision of access to learning opportunities, it is with justifiable pride that I note the extent to which college athletics has in many areas provided this same key to academic opportunity.

The gift of athletic ability is for many the first rung on the ladder of learning, and the Chair wishes to recognize the positive impact sports at the college level have had on the lives of thousands of this Nation's students, most of whom, like myself, do not move on to sports at the professional level.

The Chair would like to note that concerns about the effects college athletics have had on students are not new and are a subject of continuing discussion within the National Collegiate Athletic Association itself.

In 1982 the NCAA established an independent, blue-chip commission to study and propose solutions to the most serious problems affecting college athletics. Two of the issues raised in my letter to the witnesses—the exploitation of athletes who clearly have the academic ability to succeed in college but do not because of the time demands placed upon them by athletic pursuits, and the dilution of academic standards to accommodate the student-athlete—were evaluated extensively by the commission.

The subcommittee wishes to also touch briefly on a third concern posed here in the form of this question: to what extent do athletic scholarship programs respond to the educational needs of student-athletes no longer able to participate for any number of reasons in college athletic programs?

The Chair welcomes the comments of witnesses to some or all of these concerns. Your divergent backgrounds are sure to induce some diversity of opinion, which is always welcome in this subcommittee.

So on behalf of all the members of the committee, I want to thank you in advance for your time and effort for the benefit of the hearing by this subcommittee.

Again, I am very pleased that Senator Metzenbaum from the full committee is here with us this morning. Senator, do you have an opening statement?

Senator **Metzenbaum**. A very short one.

I want to thank you first, Mr. Chairman, for granting my request for a hearing on this important and disturbing issue. I know full well that your subcommittee schedule is extremely full and that a special effort was made to fit this in, and I am very grateful to you.

I am confident that the witnesses before us today will provide us with insights into this problem that will make our time here very well spent.

Practically any weekend of the year, Americans have the good fortune of being able to turn on their television sets and be entertained by some of the finest amateur athletes in the world. The intensity and pageantry of college football and basketball in this country provides sports fans endless hours of excitement and enjoyment.

We hear so often these days about the talented 20-year-old who signs a single contract that makes him wealthy beyond his wildest dreams. For some, it seems athletic talent alone can indeed be a ticket to prosperity and success.

I used to think that the slightly less talented teammates of these superstars were lucky, too. After all, just for playing a game they love, they are getting a free education and a degree which could be their ticket to prosperity and success. I was wrong.

As far as I am concerned, every student is in college to receive, first and foremost, an education and a degree. In far too many cases the student-athlete leaves school with neither. I am afraid the day has come when some institutions simply are more interested in what a student can do for the school athletically than what the school can do for the student academically.

The atmosphere and pressures surrounding college athletics force educational objectives to the back burner. Instead of stressing attendance in the classroom and performance on examinations, many schools are stressing attendance at practice and performance at game time.

It has been said that a lot of schools are not interested in whether Johnny can read, but whether Johnny can run, pass and kick. The athletic scholarship, once a contract and a commitment for an education, has now become a manipulative device which schools regularly give and take away to suit their own purposes.

When we start to talk about assessing the blame for all this, the finger-pointing begins. Colleges blame the high schools; faculty blame coaches. Coaches cite pressure from administration to produce a winner. It goes on and on and on.

There is no confusion when we start talking about victims, however. Student-athletes bear the brunt of all the abuses, and that is why we are here today. Through the testimony we are about to hear, I am hopeful that we will understand the problems a little better and that the solutions will be a little clearer.

I believe that the three panels who will testify today are comprised of the most experienced and knowledgeable individuals available in the Nation on this issue. Each views the problem from a unique vantage point and we look forward to hearing from them now.

Thank you.

Senator **STAFFORD**. Thank you, Senator Metzenbaum.

The first panel will be Mr. Kevin Ross of Chicago, IL, and Mr. Michael Potts of Peoria, IL. We would ask those two gentlemen if they would come to the witness table.

Welcome, gentlemen. As always, in committee hearings here in the Senate, we seem to run short of time, and we would ask you both to summarize your statements, if you can, in about 5 minutes.

We will go in the order in which we called your names so, Mr. Ross, I guess that means you go first.

STATEMENT OF KEVIN ROSS, CHICAGO, IL, AND MICHAEL POTTS, PEORIA, IL

Mr. Ross. Good morning, and thank you for this opportunity.

My academic problems started with my beginning years in grammar school. Like the other 23 million illiterates today, and the 35 million functional illiterates, I never learned to read, write and compute. If one was, and is, a good student and causes the teacher no problem, it is easy to get shoved through the system for 12 years and earn a degree that no one ever bothered to teach you to read.

One cannot possibly earn good grades if they have not been taught to read, and the only other recourse is to become good in athletics and earn a scholarship to college by proving that you can conquer the world in a pair of gym shoes.

Of course, being 6 feet 9 inches helps to bring the college recruiters to your door, and often when these recruiters come to your door they talk in glossolalia and they use plenty of legerdemain to get you to go to their schools. If these recruiters feel that you can earn extra moneys for the college by lighting up the scoreboards and keeping the crowds yelling, it therefore does not become necessary to function in classes.

Creighton knew that I could not read or write well enough for college. In fact, they saw the incompletes and poor grades that I had earned in high school. Yet, they ignored these grades with the view that I could serve them well on the basketball court.

Had I received a degree from Creighton University, I would have been a part of our present national abuse in education. I would have earned a degree, but it would not have been beneficial to those students that I worked with, nor society. We must cease the degree factories that give out degrees to people regardless of their achievements.

In fact, not much time is given one to attend classes, since most of an athlete's time is taken up in traveling across the country and in participating in wins on the basketball court.

The athletic director at Creighton University never bothered with the reality that I was an illiterate. He was only concerned with my playing ball for Creighton. The courses were selected for me by the athletic director and coaches at Creighton. And, of course, these courses were easy courses, such as the theory of first aid, the theory of tennis, and basketball—courses that require not one lofty thought.

The catch to these courses was you would get hard courses, like philosophy and theology, in which you get D's or maybe a failing grade, and these A's and B's you get from these bonehead courses would keep you eligible.

Everything is taken care of for you academically, unless you have the misfortune of becoming incapacitated to play. I was injured in my junior year, and after having knee surgery I no longer seemed to be able to do anything right.

I refused to leave the college without a degree or an explanation as to why I was considered good enough to remain at the college until my injury. To appease me, the athletic director gave me an option that he knew would ridicule even the strongest of men—the option to return to a grammar school with young children whose skills made me feel even more inferior.

In fact, I thought of suicide many times. What Creighton University did to me—I forgive them because I have no vindictiveness toward Creighton University and I am sorry that they do not have the milk of human kindness for me.

Have you read the book "Walk Across America?" I intend to walk across America and tell my story to help other students and non-student-athletes because illiteracy is a big problem in our country. Illiteracy anywhere is a threat to freedom-loving Americans everywhere.

All athletics and no academics gives one bacchanalian hopes. Together, we can relight the candle of excellence in our American institutions. I believe the dark corners of our students' minds can be rearranged.

To top all this off, the athletic director at Creighton University gave me the greatest motivation I could ever get. He told Ms. Collins and his secretary there that society would see me as just being another big, dumb nigger. That, to me, was a very superhyperglycemic phrase, but that was my strength.

The task is difficult, but as an American I do not believe that the task is impossible. Much has been taken from American education, but I still believe in the American dream. I still believe that much abides. The American dream must not die. Let us together keep it alive.

Thank you, Senator, for this opportunity to practice my reading. Thank you.

[The prepared statement of Mr. Ross follows:]

CONGRESSIONAL TESTIMONY BY KEVIN J. ROSS

My academic problem started with my beginning years in grammar school. Like the other twenty-three million illiterates today, and the thirty-five million functional illiterates, I never learned to read, write, and compute. If one was, and is, a good student and causes the teacher no problem it is easy to get shoved through the system for twelve years and earn a degree that no one ever bothered to teach you to read.

One cannot possibly earn good grades if they have not been taught to read, and, the only other recourse is to become good in athletics and earn a scholarship to college by proving that you can conquer the world in a pair of gym shoes. of course, being six foot nine inches helps to bring the college recruiters to your door. If these recruiters feel that you can earn extra monies for the college by lighting up the scoreboards and keeping the crowds yelling, it therefore does not become necessary to function in classes.

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In fact, not much time is given one to attend classes, since most of an athlete's time is taken up in traveling across the country and in practicing to win on the basketball court.

The athletic director at Creighton University never bothered with the reality that I was an illiterate, he was only concerned with my playing ball for Creighton. The courses were selected for me by the athletic director and coaches at Creighton, and, of course, these courses were easy courses such as the theory of first aid, the theory of tennis and basketball; courses that required not one lofty thought.

If I had a paper to turn in for my classes these were done for me by the secretaries at the college. If I failed a class this was taken care of for me by the coach or athletic director.

Everything is taken care of for you academically unless you have the misfortune of becoming incapacitated to play. I was injured in my junior year, and after having knee surgery I no longer seemed to be able to do anything right. I refused to leave the college without a degree, or an explanation as to why I was considered good enough to remain at the college until my injury. To appease me the athletic director gave me an option that he knew would redicule even the strongest of men--the option to return to a grammar school with young children whose skills made me even more inferior. In fact, I thought of suicide many times.

The athletic director called Mrs. Marva Collins of Westside Preparatory School and asked if she would accept me in the school as a student. Mrs. Collins later said that she thought surely it was a joke, but she did indicate that she would let me enroll in the school. Creighton University paid my tuition there for a year with a monthly stipend of $350.00. I, however, dared not take a job, and I had no place to live. I could not afford to work part-time since I had a full-time responsibility of recapturing sixteen years of malpractice and bad education. This was my last chance to breathe literacy.

Mrs. Collins tried putting me into the classroom with fourth and fifth grade students, but much to her chagrin, I did not have the skills that these babies had! She, therefore, worked with me on a one-to-one basis bringing me from a fetid and sad second grade score to a college freshman level in just ten months. I cannot tell you what a burden was lifted from my shoulders to know that I would not have to go through life wearing the burden of being a life-time leaner rather than a lifter; a tax-burden rather than a taxpayer, an illiterate rather than a literate man with the ability to dare to become a part of the American dream rather than the American nightmare. For the first time in my life I felt the true meaning of self-respect, self-worth, and life became a celebration rather than a chore of how I was going to get through another day fooling the world that I could read and think when I really was a twentieth century Don Quixote chasing pipe dreams.

To add to my already dismal life, the athletic director seemingly tried to encourage Mrs. Collins to also tag and label me as a failure by telling her that society would always see me as just another "Big Dumb Nigger". To me, this phrase was superhyperglycemic at most, but it also gave me more determination to begin to carve my life on shapeless stone. It also encouraged me to help others break out of the prisons of illiteracy. Personally I know the private emotions of one who has to create facades daily, to live half-truths and lies about what you really do not know. I became petrified with fear each time I had to complete an application, write a check, or read a simple menu. We must not allow this to happen to others. We cannot afford to have institutions make life so unbearable for students in a country that is considered a world leader...in a country that has enjoyed preeminence for so long. No country can afford to be powerful and illiterate too. Diogenes was right when he said: "The education of our youth is the foundation of our nation". Let us together remove the tags from far too many institutions that offer athletic scholarships which should read: "Beware of this scholarship it may be dangerous to your mental health".

I do not believe that we have to be a nation at risk. Together we can relight the candles of excellence in our American institutions. I believe that the dark corners of our students' minds can be rearranged. The task is difficult, but as an American, I do not believe that the task is impossible. Much has been taken from American Education but, I still believe in the American Dream...I still believe that much abides...The American dream must not die...Let us together keep it alive.

Thank you.

Senator **Stafford**. Thank you very much, Mr. Ross. We really appreciate what you have said and your presence here.

Mr. Potts, we would now be glad to hear from you. The microphones are not very good here, so you will need to pull them up quite close.

Mr. **Potts**. My name is Michael Potts and I am a former Northwestern University student athlete. When I was being recruited, I was promised 5 years in which to complete my engineering degree, and also all the tutorial help that I needed and anything they could do for me would be done.

Upon arrival in the fall of 1979, I was informed that I was not enrolled in the Technological Institute, but instead in the College of Arts and Sciences. It was at that time that all the rookies—we were the young, new guys in camp, the only ones there—met with the dean, or Assistant Dean Brazzleton of Northwestern University.

We were all sitting on the steps of the Technological Institute when my coach went over to talk to him, so I went and sat at their feet. And my coach said, "I have got this guy, Mike Potts; he was supposed to be in the program all along." And his response was: "What makes these guys think they can come in here and do it," referring to the program? They just cannot do it.

I did stay in the College of Arts and Sciences. I successfully completed my freshman year and then it was at that time that I transferred into the Technological Institute. In the spring of 1980 I broke my right clavicle when hit by a down tackle and my shoulder pads came loose. I got up, threw approximately five more passes, and took myself out.

I was told it was a bad bone contusion, nothing to worry about. They wanted to apply heat and they pressed on my sternum, and on the third day they suited me up and sent me out to practice and told me to do ball handling and take snaps. I was playing quarterback for them. I took one snap and took myself out.

On the fourth day I complained again. On the fifth day they told me to get an x ray. I saw a doctor in the emergency room who told me that my collarbone was broken all the way through. I left and later I experienced more discomfort that evening, so I took myself back into the emergency room. I was experiencing muscle spasms, which I did not know at the time.

On the sixth day I was supposed to see a Northwestern University doctor, one of their team physicians at our school hospital. When I went into the appointment, he was not even there and they were fairly upset that I had taken myself back into the emergency room.

In the fall of 1980 I broke the same collarbone in the same place, and I also separated my collarbone between the sternum and collarbone in here, and I was told let us watch it for about a week.

They tried to get me to stay in camp, and it was at that time that I met my father and he came to camp and took me back home. The next problem I had was in the summer of 1981. Due to the injuries I had had that fall and that spring, I was forced to take summer school in order to be eligible, since I had dropped below the requirement of, like, 10 or 11 courses, I think, for the year.

I paid for the courses at my own expense; I had to petition the NCAA for them to repay me for the courses. I successfully completed two classes. I received an A in one, but there was an error in recording the grade; it got recorded as an incomplete. They kicked me out of camp for 5 days. They said it has got to be officially in the computer.

Once it was in, they called me back and told me I would be the fourth-string quarterback, so sit back, relax, and take it easy. In the fall of 1981 I injured my ankle and my knee. I was told that x rays were negative and not to worry about it; go back to practice. I did so.

In the spring of 1982 I reinjured my collarbone. I was again told that the x rays were negative and to return to practice. That was on a Thursday. That Saturday, I asked to see the team doctor. I saw him Monday morning and he told me he wanted to keep me out indefinitely, so I attended practice and watched in my street clothes for the remainder of the spring.

It was at that time that they approached me and asked me to petition the NCAA to not be counted as an athlete, but still receive full grant-in-aid. In the fall of 1982, right before the first term was to begin, I called the student finance office to make sure everything was in order.

The lady told me that she had better check because a handwritten list had been sent over of cancellations of athletes. Upon checking, she informed me that my name was on the list. I tried to find out why; I could not get in touch with anyone.

I called the assistant athletic director, and my mother later called the president's secretary. At about 5 o'clock the athletic director's assistant called, and at about 6 o'clock the athletic director called and they said it was a mistake due to computer coding, after the young lady had told me that a handwritten list was sent over, and they reinstated my scholarship.

At the end of that trimester, the one following the cancellation, they kicked me out of school. Upon asking why, they just basically gave me no reason. I appealed three times. The last time, I took my lawyer and my mother and met with the provost and associate provost and they said, "Here is your transcript; we feel that you are not progressing toward a degree"—when I had taken the courses they told me to take.

I had all my chemistry and my calculus out of the way; one physics course to take. They showed me my grades. I said, those are not my grades. They said, yes, they are. I said, no, they are not. I had two grade changes that went into effect and they had changed those grades, and when they found out I had a copy of the transcript and knew that the grades had been changed, they changed the grades back and sent a letter saying that the grades had been changed back to what they originally should have been.

That is basically it. I feel pressure was put on me in an effort to remove me from my academic program after I was no longer of use to them, football-wise. I would like to thank you for this opportunity.

Senator STAFFORD. Thank you very much, Mr. Potts, for your candor and telling this committee of your experiences.

Senator Metzenbaum, do you have questions of these witnesses?

Senator **Metzenbaum**. I have a few.

As I understand it, Kevin, you were functionally illiterate in high school. You were accepted into college in the first place just by paying no attention to that. Is that pretty much accurate?

Mr. Ross. Well, the etiology of my problem started in grammar school and it got magnified in junior high school. In high school, I took my problem to the principal and told him that I was having difficulty in my reading and in my writing. But he said, son, you will be OK; just keep working hard.

Then when I was recruited by Creighton University, they knew that I had problems, but what they did is they guaranteed me a degree as long as I attended classes.

Senator **Metzenbaum**. Did they say that to you in so many words?

Mr. Ross. Yes. Once I got there, they helped me fill out my schedule; they really looked my schedule down. But they knew I had a problem because I had an unsatisfactory in English. So they knew I had a deficit, and they also gave me tutors.

I had one eye and my tutors were blind, and what I mean by that is they were not equipped enough to help me.

Senator **Metzenbaum**. Do you feel you were ever given grades at Creighton that you did not deserve; in other words, to keep you eligible?

Mr. Ross. All 4 years, I was given grades that I did not deserve. How can a person with a second grade reading level pass philosophy and theology? I did not have any business being at Creighton University, but they said they would do their job.

See, I gave them 110 percent on the playing field to get an education, and after 4 years I came out of Creighton the same way I went in, as an illiterate, much to my chagrin.

Senator **Metzenbaum**. Did your professors ever make any comments to you about the fact that you were getting grades that you really did not deserve?

Mr. Ross. Well, no. If I failed in courses, the coaches took care of that; they kept me eligible. I turned in macaroni for papers. I did not have any reason to pass the courses that I did, but they gave me passing grades. If I showed you some of the papers that they passed me on, you would think it is a joke.

I really feel, now that I can read between the lines, that it is a joke because I am no longer illiterate and I am happy to be a lifter of society and not a leaner.

Senator **Metzenbaum**. As I understand it, at one point you asked to sit out a year on the basketball team so you could improve your basic reading skills. Is that correct?

Mr. Ross. Yes. I called a meeting with the athletic director and the head coach, Willis Reed, and asked if I could red-shirt. They told me no because what happened is they recruited a lot of other players for the next year and they wanted to get me out of there because I had the worst grade card you can ever get at a university—about two or three F's and two D's.

That made me ineligible to come back the following year because I had racked up 96 credit hours and I needed 36 hours for graduation. That would have been a degree that I could not read; I could not have read that degree if I had received it.

Senator **Metzenbaum**. You were injured in your senior year and at about that time you went public with the facts about your reading. Is that correct? Have I recited the facts correctly?

Mr. Ross. I was injured in my junior year.

Senator **Metzenbaum**. In your junior year.

Mr. Ross. But the sad story about my injury was that after I got injured, at the end of the year none of the officials came to me and said, hey, Kevin, you need to see a doctor to get your leg repaired.

I went to the doctor on my own and got my leg taken care of. They did not want to pay the bill, and the coach and athletic director tried to run me out of Creighton University by getting me upset.

I was one of the captains of the basketball team, and what they would do is play the whole basketball team, except me. Then after the game they would ridicule and make comments, trying to get me upset.

I was at the edge, but I did not give up because I have faith in myself and in the Lord.

Senator **Metzenbaum**. Now, you have been very courageous in speaking out when you were at Creighton and since then about your own limitations in the past. Tell us, what was it like to speak about these matters publicly? What did it do to you as a person?

Mr. Ross. Well, I cried many nights. I was angry, I was bitter. At times, I wanted to cause violence, but violence is not the best answer. It really hurt me inside as a person and the only way I could strike back—and I could not do it alone—was through the faith in myself and in the Lord because what happened to me is a sad story and I hate telling my story.

I hate it very much that I have a story like this, but I am going to tell it over and over again to help other student athletes and nonstudent athletes, because our Nation has lost its preeminence as a world leader, and I hope that I can help to get it back on track again.

Senator **Metzenbaum**. Now, is Marva Collins the one that you worked with and who brought your educational levels up?

Mr. Ross. Yes.

Senator **Metzenbaum**. And tell us what your goals are for the future, Kevin.

Mr. Ross. Well, my goal for the future is to send a message to students and student athletes, and I am going to tell the student athletes they cannot conquer the world in a pair of gym shoes because their playing days will be over; and know that God is not some cosmic bellboy to come at their beck and call. No letters in life will be thrown to them.

I am going to pursue a degree, but it is going to be a degree that I can read. I attend Roosevelt University and I am happy to be a literate citizen. I now can read a menu. I can read the stop sign and the yield sign, and I am happy.

The 65 million illiterates that we have in our country—I just wish that they could get just a little taste of what I got, because that was the denouement of my life, learning how to read and knowing how to syllabicate words and knowing how to understand words.

Senator **Metzenbaum**. I want to tell you we are very grateful to you for your testimony and you have helped us much. Next time, do not use superhyperglycemic with a Senator; that is just a little too complicated for us. [Laughter.]

Thank you very much for your testimony.

Mr. **Ross**. Thank you.

Senator **Metzenbaum**. Mr. Potts, I have a few questions for you. As I understand your claim, it is that when you were a promising young quarterback, Northwestern University was prepared to help you in every way possible. After you were injured, however, they could not get rid of you fast enough, and they were not concerned about your medical problems, nor were they concerned about your academic aspirations.

Is that a fair summary of what has transpired vis-a-vis your own situation with Northwestern?

Mr. **Potts**. Yes; I would say it is very accurate. I was caught in a coaching change. I was also injured, and so I became, so to speak, damaged goods, and I definitely felt the pressure from it. Although I was offered a chance to return once they found out that they might not be on legal ground, at which time I declined—I am now at an excellent university, finishing up my engineering degree.

Senator **Metzenbaum**. Where do you go now?

Mr. **Potts**. I would rather not say, but it is a fine university.

Senator **Metzenbaum**. Who paid the doctor bills for all your injuries?

Mr. **Potts**. All of them were paid by my father's insurance, and what that did not cover was paid by my mother's insurance. At one time, I had close to 100 x rays in, I would say, a month or a 2-month period due to an error in taking an x ray of my S.C. joints—just craziness; a lot of x rays.

Senator **Metzenbaum**. Did your coaches or advisers or anybody on the faculty offer you any advice as far as the type of courses you were to take?

Mr. **Potts**. Yes. I had a counselor from the athletic department, as well as one from the university, and they told me what courses to take and, you know, when I should ease up and when I should try and make some stuff up.

So I was advised all the way along, although I was promised tutorial help which I had trouble getting. They would send me from the technological institute to the athletic department, and then back there, and everyone was saying, you go there for a tutor; no, you go there. So the help I was promised was not received.

Senator **Metzenbaum**. As I understand it, they canceled your scholarship because they said you had not maintained proper academic standards. Then, I understood you to say you showed them that they had made some errors in the transcript. What then happened?

Mr. **Potts**. Once they found out that I had gotten a copy of the transcript, the associate provost said, you got what, and just repeated "you got what" about three or four times. And then he started shaking, and then Raymond Mack, the provost, said, Mrs. Morris, Mike, what can Northwestern do for you? And we said, just get back to us and let us know.

Senator **Metzenbaum**. I did not get what you just said.

Mr. **Potts**. They said, what can Northwestern do for you at this point? And their lawyer was there and our lawyer was there, and when it started out they were saying this is an academic matter, not a legal matter. By the end, they were just saying, what can we do for you? I mean, what do you want?

Senator **Metzenbaum**. Did they reinstate the scholarship?

Mr. **Potts**. No. I mean, at that point I was completely out of the program. It was 3 or 4 weeks into the new term, so I had lost time and energy and I was just beat at that point, and not willing to go back because I smelled what would happen if I did go back.

I mean, they were just going to do it right. They could have given me, in my opinion, straight F's, and I could not do a thing about it because that would be an adademic matter, not a legal matter.

Senator **Metzenbaum**. Do you think that the change in the coaching arrangement at the university contributed to the change in your position?

Mr. **Potts**. I think it had something to do with it; I really do. I think that there was a feeling of getting rid of the old coach's regime. I think they felt that was one of their big problems, and I got caught up in it.

Another athlete had gotten kicked out, but when he signed a big, fat pro contract, they took him back. So, yes, if you were not really, really good, then you were in a lot of trouble.

Senator **Metzenbaum**. And how many years did you play for Northwestern?

Mr. **Potts**. I played for 3 years.

Senator **Metzenbaum**. And your scholarship was terminated?

Mr. **Potts**. After 3 years, and then it was reinstated for one more trimester, at which time I was kicked out.

Senator **Metzenbaum**. Is there anything further you would like to tell the committee, Mr. Potts?

Mr. **Potts**. No; I think that is about it.

Senator **Metzenbaum**. Anything further you would care to tell the committee, Mr. Ross?

Mr. **Ross**. No. Thank you.

Senator **Metzenbaum**. Thank you.

Senator **Stafford**. Thank you, Senator Metzenbaum. And, gentlemen, thank you both for bringing this matter forcefully to our attention. We appreciate it very much.

Mr. **Ross**. Thank you.

Senator **Stafford**. The next panel is one that hardly needs introduction, but it will be Mr. Howard Cosell of ABC Sportsbeat, Coach Dean Smith of the University of North Carolina, and Mr. John Underwood of Sports Illustrated. Gentlemen, if you would come forward, we would appreciate it.

Gentlemen, once again it would be the subcommittee's intent to take your testimony in the order in which we have called your names, if that is agreeable to you. We would appreciate your being as brief as you can in doing justice to the statements you may wish to make here.

We will not use the array of lights we have got that we occasionally do use. We will not use them in your case, but if you can come as close to 5 minutes as possible—and we apologize for making that request—we will appreciate it.

Mr. Cosell, you are first.

STATEMENT OF HOWARD COSELL, ABC SPORTSBEAT, NEW YORK, NY; DEAN SMITH, HEAD BASKETBALL COACH, UNIVERSITY OF NORTH CAROLINA, CHAPEL HILL, NC; AND JOHN UNDERWOOD, SPORTS ILLUSTRATED, KEY LARGO, FL

Mr. **Cosell**. Thank you, sir. First, I would like to make the point that I do not in any sense speak for the American Broadcasting Companies; I speak only for myself as a sports commentator.

Senator **Stafford**. Mr. Cosell, you have probably seldom had the experience of talking into as bad mikes as I am sorry to say we have here. so if you can get as close as possible, we will appreciate it.

Mr. **Cosell**. Very good, sir. Again, I do not in any sense speak for the American Broadcasting Companies on this occasion, only for myself as a sports commentator who has spent 32 years in the trenches of sports journalism.

What I have to say is based upon that experience, and it is shocking and depressing indeed. If forced to, I could probably fill up all of the hours of this day in a discussion of the evils of big-time college sport. But as I have only 5 short minutes, let us get to it.

First, some specifics culled from the last several years, and believe me, Senators, these specifics represent only a smattering of the corruption that so pervades big-time college sports today.

One, there was a basketball coach at the University of New Mexico named Norm Ellenberger. A jury of his peers convicted Ellenberger of a mail fraud, this related to the fact that he had arranged to fix the transcripts of high school and junior college basketball players that he wanted admitted into his school and onto his team.

The judge threw out the conviction and placed Ellenberger on a 1-year probation. The judge was roundly and heatedly criticized for this. His response, and I paraphrase here, "Everybody cheats; it is part of the fabric of big-time college sports. Why should Ellenberger suffer as the scapegoat for countless similar crimes?"

Case No. 2, the bizarre matter of Billy Don Jackson, gifted lineman who played for UCLA in but his fresman year; shortly thereafter, Billy Don stabbed a drug peddler and was convicted of manslaughter.

The judge at his trial seemed less shocked by Jackson's crime than by the fact that he was enrolled at UCLA. He said, and I quote, "This young man cannot even read 'see Spot run'." One of the most shocked people I ever spoke to in my life was on this case, out in Palm Springs, Chancellor Young, currently chancellor, and a great educator, of UCLA. He simply could not believe that this had happened within his own university—10 years of Texas schools, and then in his own university with a great reputation, and he could not even read "see Spot run." But, of course, in that vein you have already heard young Kevin Ross.

Three, Clemson won the 1981 college football title. The next year, the NCAA found Clemson guilty of approximately 150 violations. These included the giving of cash gifts, clothes and color TVs to athletes. In one case, Clemson awarded a scholarship to the friend of a blue-chip football prospect it sorely wanted.

Four, the University of Southern California; there, it was discovered that more than 100 athletes had received credit for courses they did not attend and for courses that did not even exist.

Five, Wichita State; well, that is a joke. Wichita State has been placed on probation so many times, it is a wonder that an athlete would even consider matriculating there.

Six, Creighton University, a school with a good academic reputation, right? Well, you have heard Kevin Ross tell his heart-rending story of what happened to him. It was only when he went to that Marva Collins storefront school in Chicago that he began to achieve the literacy that he articulated before you today.

Seven, the University of Iowa, a splendid example of higher education; Iowa once had a course that a lot of its basketball players were very enthusiastic about. The reading list included "Boy's Life of Basketball Stories," and "Dr. J: The Story of Julius Erving."

Eight, maybe this one is the most classic case of all—Cal State-LA. That school once had a division I basketball team, and on that team were athletes who were systematically excluded from their school's educational process. Backpacking, mountain climbing, beginning badminton, theory of movement—these were the courses they were actually told to take.

It is all documented, Senators, in these two cassettes, and I urge you to view them. One cassette contains a detailed report on what happened at Cal State-LA. That appeared on our ABC Sportsbeat show in April of last year. It was one of the stories cited in our winning a second Emmy in a row. The other cassette contains an update of that story, which appeared on Sportsbeat just 10 days ago. They serve as a microcosm of all that is wrong with big-time college sports.

By the way, gentlemen, those same basketball players sued Cal State-LA for $14 million, charging that they had been deprived of an education. Recently, the players won, receiving $10,000 each and a public apology from the school and the college educational system in that State.

It remains to be seen what kind of impact this decision will have. Hopefully, in the future, coaches and athletic administrators will think twice before they load up a player's course card with meaningless subjects.

And to amplify this point, gentlemen, I suggest that you call before you a gentleman who is now the legislative aide to Congressman Dymally of California. His name is Ron Eckles. He was one of the several students who was involved in that Cal State mess, and he is a young man who has gone to make something very important of himself, and can tell you intimately, in addition to these cassettes, on both of which, by the way, he appears.

"Hopefully," I say, because at this point in time I am not at all certain that we can have purity in big-time college sports. It is big business; there is simply too much money at stake.

Recruiting is probably the core problem. Coaches are under tremendous pressure to win, and to win they have got to get the best players. To get the best players, they have to offer more than the other university is offering. Then, of course, they have got to keep these kids in school, and that leads to other abuses as well, again Kevin's testimony and Mr. Potts' having already spoken for themselves.

It is a vicious cycle, and the alumni at these schools do not help. They are myopic, overzealous. And I say to you the first step in cleaning up the mess should be outlawing booster clubs—those alumni organizations through which in many cases the cash and the cars and the clothes and the TV sets and stereos are funnaled to the athletes.

In some cases, gentlemen, the coaches do not even know to what extent their school's alumni are breaking the rules and corrupting their players. And let us face it, the NCAA simply does not possess the resources to police every big-time college program; it cannot be on 100 campuses at once.

Each individual university must police its own athletic department. That is the only way, but so many seem either unwilling or unable to do so. It is the responsibility of each individual university to see that its employees are obeying the rules. It is the responsibility of each individual university to see that all its students, including athletes, receive a proper and valid education.

You could look it up, gentlemen; check the top 50 athletes drafted by the NBA and the NFL, and I will bet you that less than one-third—and I am probably being generous there—less than one-third will have earned a valid degree.

The NCAA had a rule that I understand it intends to get serious about. It stipulates that athletes must be making "satisfactory progress toward a degree." If the NCAA really means business in this regard, there could be hundreds of athletes on the sidelines this coming new school year. But how, I ask you, can the NCAA possibly make a thorough check of every athlete who is supposed to be taking valid courses toward a valid degree? It is impossible.

The presidents of each and every university must step in, stand up to their alumni, most of whom represent a kind of juvenile imbecility that is frightening in the extreme. And if the great bulk of college coaches cannot build winning teams in an orderly and honest fashion, get rid of them. So many of our great universities have lost sight of the true meaning and the true value of intercollegiate sports, and it is a shame.

Honesty is its own reward, gentlemen. I point to Bobby Knight of Indiana; to this man, Dean Smith, of North Carolina. I give you Joe Paterno of Penn State; I remind you of Digger Phelps and Gerry Faust of Notre Dame. They are winners, gentlemen—good and decent men who do not cheat and who work for universities that are proud of their integrity. They are winners in a real sense, in the sense of what a university is all about, or a college, or what it should be all about.

But in this American society today, gentlemen, sports are out of whack. A winning basketball team or a winning football team at the college level is not worth traducing the whole structure of higher education in our Nation, and that is what has happened in our Nation today.

Senator **Stafford**. Thank you very much, Mr. Cosell.

Coach Smith, we would now be glad to hear from you.

Mr. **Smith**. Thank you, Senator Stafford. I am a little concerned that I am not as prepared as Howard Cosell, nor could even begin to speak as well as he does. I received the letter from you on Friday, and therefore I did not submit a paper to this subcommittee, other than an article I had previously written. It was the only paper I have written recently and was for the New York Times encouraging freshman ineligibility. I have also submitted our North Carolina graduation rate of our lettermen during my 23 years as head coach which now stands at 95.6 percent.

I did not know what to expect in coming here. I had heard Kevin Ross' story before. I grew up in Kansas, familiar with Wyandotte High School and his background. In hearing Kevin, I made a couple of notes but I am almost afraid to talk.

One thing I would say is I think the universities are supposed to lead society, that has been established. For many years I think the universities athletic programs do tend to reflect society unfortunately.

There is this "we are No. 1" syndrome around the country that makes someone feel better about oneself. Each of you have a school you attended, and if your school should win and receive notoriety, you feel better about yourselves

Of course, as Senators, I know you do not need external affirmation; you have it from within, and that is the way it should be. [Laughter.]

Mr. **Smith**. I was on the NCAA select committee which was mentioned earlier. One of my favorite people from that committee is Father Joyce of Notre Dame. Father Joyce read to us a clipping about academic abuses; he read to us a clipping about cheating in intercollegiate athletics, and then he quoted the clippings from 1921. That was a shock to me. I was born in 1931, but it was still a shock to me.

I think what he was saying was that we have always had problems, but that does not mean we cannot change it. What I am concerned about is whether this subcommittee can do anything, although I think the NCAA has recently taken steps to change things.

Our problem with the NCAA is that we have, in basketball, 270 schools. They all want to win the national championship; their presidents and their athletic directors think they can. Of course, I worry about coaches in that situation; they are fired when they do not.

But I think if we moved down to a workable number, which the College Football Association has done, I think we could very easily police ourselves. The presidents would be involved as they should be. I tell the presidents of universities, I know your intercollegiate athletic program is not the most important part of the university. However, it is your front porch; it is the most visible. Now, what are you going to do about that?

I was surprised at Michael's talk. I have always used in my talks about Northwestern being one university which didn't change their academic standards, for athletes, and they generally finished last in the Big Ten. I admired that and I think Northwestern is truly a great academic institution.

Howard, you said coaches do not know when boosters cheat. I do not believe that. I do not think anybody would cheat to get a player without the coaches knowledge. I might not even want the player. How would they know which player to get? I chose to deal with Howard on that issue.

I asked my sister, who is an administrative assistant to Congressman Andrews over in the House, if this hearing would be public. Could I just talk informally? And now I see all these television cameras. [Laughter.]

Senator **Metzenbaum**. They are not working.

Mr. **Smith**. Oh, I see. [Laughter.]

The first question Senator Stafford asked me was, to what extent are outstanding student athletes awarded inappropriate passing grades? My answer to that is I do not think that is now a problem in NCAA division I.

With academic freedom and tenure of our professors, along with the integrity of the institutions—I just heard Kevin say differently—but I do not think this is a problem.

The problem is with the initial eligibility. As Kevin indicated, he should not have been admitted to Creighton University based on his academic record. The NCAA has taken steps with recent legislation to have a core curriculum required in another year, where a student athlete would have to take English, math, and a language before being admitted to college.

To me, the major problem is the C-average rule which was begun back in 1973. Since then if you had a C average in high school, regardless of what courses you took, you were eligible for division I football and basketball.

There are very few problems in division III. We have some great institutions directing the intercollegiate athletics property. But in division I football and basketball there are problems.

For instance, a young man, near Washington, DC, was a highly recruited basketball player. We looked into his academic record and there was no way for any school to recruit him. Still he miraculously received all A's in his last semester of high school in order to reach a C average and play at a division I NCAA school.

I am more concerned about public education in general and what you folks can do there, maybe even a few blocks from here at Dunbar High School, or what you as Senators can do to improve teachers' salaries. Do not let me get started on this; I could go on nuclear arms, too. [Laughter.]

I hope we can reach a freeze on nuclear arms, too.

But with this young man, the high school was saying, "What do you need to get into college?" The high school teachers feel sorry for them. As Kevin pointed out, his junior high teachers probably felt sorry and just moved him on and it hurts the young man.

I do not think the problem in intercollegiate athletics—is passing grades. But I think admission is a problem. A school should not accept young men who have little chance to graduate.

I cannot accept a football coach, whom I know, say, "Well, they are better off for being in school for 4 years." My point to him is, you help those who do not help you. You do not bring someone into the institution just because they run a 9.4 100-yard dash or are 7 feet tall. They are going to help you.

If you really want to help people, by admitting them to a college experience, let us go help somebody who is not going to help us. Let any institution admit anybody whom they wish, but that the lower 1 percent of the least qualified students cannot be athletes. Therefore, they would really be helping people. I hope that would be something to think about in the future.

The second question—and I am sorry I might be over the time—given the demands of most large scale athletic programs, what problems do student-athletes face in accumulating enough credits to graduate in 4 years?

The only thing I would say, is that if we made freshman ineligible the way it was in 1973 and before we would not have the problem. Take the record of 10 years prior to 1973 and you had people graduating. A very low percentage of football and basketball players have graduated in 4 years since 1973.

If we made freshman ineligible in football and basketball to prove they are students first and foremost, and let them understand that, I think we would come close to a solution.

The only reason it was changed was economics, and I am tired of that excuse for division I football and basketball because division I football and basketball make countless dollars and they can handle that. You can look at my New York Times article on freshmen ineligibility, but more would graduate in 4 years if they could not compete on varsity teams as freshmen.

I have listed our North Carolina graduation rate simply because I think we have won reasonably well and still have graduated 95.6 percent of our lettermen in basketball. This year, in addition to what I gave you, we have four seniors and all four are graduated. One will go on to pro basketball and one to graduate school.

Question No. 3: To what extent do athletic scholarship programs respond to the educational needs of student athletes no longer able to participate? I think they all should be no-cut contracts. I am joking here, in the fact that you give scholarship and not contracts. I have never taken away a scholarship as long as I have been head coach for any reason.

One young man said he wanted to concentrate on his studies and no longer play. I said fine. He said he wanted to give up his scholarship and he could afford it. I said, no way; you have got to keep it because we brought you to our school to graduate.

I am on a committee now that is starting to address this situation on financial aid to student athletes. I think once you recruit and give an initial grant to a young man, you should pay his educational expenses for as long as it takes him to graduate.

I do not know Michael's situation after 3 years or what the situation was—but I do know that we should, in fact, owe that young man continued scholarship funds because we have recruited him, along with a Northwestern. We should say you now have a full grant as long as you are eligible to be in the university.

In closing, let me say that I do not know what your subcommittee can do. The only thing I was thinking coming over here is that with our abuses in recruiting and the NCAA failing to have the threat of perjury, and subpoena power that you please look into the situation of the IRS helping the NCAA and visa versa.

In the national press, a young man down in Louisiana talked about his expensive car and many other possessions. Yet he was the youngest of seven children from a very poor home. How he could afford his lifestyle as a student athlete? It would be interesting to put the IRS and the NCAA together in investigating that situation, and perhaps in that way you could help athletics.

I am sorry I took so long, Senator Stafford.

Senator STAFFORD. Well, thank you very much, Dean, for a very illuminating set of remarks to the committee. Thinking back on Mr. Cosell's testimony concerning the watered down courses at Southern Cal, it occurred to me that had the college I went to had some of those courses, I might have graduated Phi Beta Kappa instead of the way I did.

Mr. Underwood, we would be glad to hear from you.

Mr. UNDERWOOD. Thank you, Senator. First, I would like to object strenuously to being placed on the same panel with a man as handsome and dramatically verbose and outrageously tanned as Mr. Cosell. [Laughter.]

But I would like to say first of all that before you go too far with any legislative device or consideration at the congressional level for what is happening in the education of our athletes in America, you should consider one salient fact, and that is that the system itself is terribly flawed, and it does not start with the colleges.

It is not just coaches angling to beat the system and it is not colleges insensitive to the needs of their athletes. The educational process sends morons through the system. The high schools and grade schools graduate without educating, and send the whole mess on to the colleges, where the buck stops. The colleges use the athlete, as well they might—and as well they should, considering the desperate situational ethics of coaches. The buck stops there because most colleges won't give a degree that has not been earned.

In Chicago when I was investigating this very problem for the magazine about 4 years ago, there was a high school student trying for a college scholarship in the Big 10 Conference who needed his 2.0 to qualify. To get that 2.0, he needed to pass a history exam. The history exam required him to name the 12 months of the year; he passed by naming 10. That is not funny; that is sad. That is high school; that is not college. So what happens when this uneducated but graduated high school boy winds up in college? He is terrorized by the classroom, frequently failing because he will not even go to class. The class is a forebidding place for him; it represents the potential for more failure.

In California there was a football player named Fred Butler. He went through 4 years at a college in southern California; tried for a professional football contract and failed to get it; went back to living with his father. His father was kind of a ne'er-do-well and a drunk, and they had an argument, and a gun was pulled, and they grappled, and the father shot himself.

The boy was arrested, but not indicted. He was held for 2 or 3 days and when he got out, still loving his father, he got in his father's car and went in search of his father's gravesite to put flowers on the grave. He traveled around for over an hour and then tried another hour in another direction, and then went home because he could not read the road signs.

He had gone through 12 years of primary and secondary education and 4 years of college, and he could not read the road signs. That is the system that you must face in dealing with this problem, and that is what the colleges and coaches like Dean Smith face every day.

The problem is the pressure to win. Big business creates the pressure. Coaches are made desperate to win. Why? Because they want to stay on the job. They do not want to lose what they have. They do not get tenure. It is a sad situation.

I will name you a coach, and you will not believe it, who, after *x* number of years at the major college level, came close to being fired in 1971 by an administration that was not happy and alumni that were not happy with his winning record. The coach's name is "Bear" Bryant; a true story.

When a coach is that desperate to win, he will do things. He will exploit every loophole—and the loopholes are not created by him, by the way. What happens to the players in that circumstance? They, too, become desperate. Desperate for what? To stay in the system as well, wanting to be professional athletes—the greatest hoax of all, as I am sure Harry Edwards will tell you, because he is the most eloquent speaker in that area.

Four out five NBA basketball players do not have a college degree. More than two-thirds of the NFL players do not have a college degree. They have been trundled through the system, through a meaningless habitation of the classroom, and gotten nowhere educationally just so they could get a crack at that pro contract.

And what a hoax it is; 1 out of 100 will make it. Harry will tell you that the statistics are probably worse than that. The sad results, of course, are there because coaches and administrators will do anything to win, anything to fill the stadium, anything to win the conference.

There was a basketball coach in the southern California area who was told unequivocally, "If you do not win the conference championship this year, we are going to fire you." When you have that kind of desperation to succeed, you will get that exploitation of the system.

The solution, of course, is very simple. You must raise the standards; not lower them. The worst thing that has happened to college athletics in the last 15 years is affirmative action because the entrance standards were lowered. They were lowered for a very good reason—there were athletes and students out there who deserved a chance. But needing to succeed, wanting to succeed, desperate to succeed, coaches took advantage, administrations took advantage, athletic departments took advantage. And as a result, you had more and more students coming into the system who could not cope in the classroom. Students do not belong in a classroom if they are not qualified.

The solution is to raise the standards and make them consistent throughout college sport, without congressional interference. Have normal progress requirements that are met from school to school, and give your basketball coach or your football coach security; give him tenure. It is as simple as that. Then if your coach cheats, fire him.

The University of Notre Dame has had since Terry Brennan in the 1950's a rule—it is not a rule, really; it is a mandate by Father Hesburgh. He has a little 5-minute conference that he has with the coaches he brings in every time there is a coaching change, and he says it as simply as this: "We will give you 5 years to succeed. We think at Notre Dame that you will have the tools to succeed; that you will win at Notre Dame. But if you cheat, you will be out before midnight."

As a result, you never see the NCAA pointing a finger at Notre Dame. Notre Dame does cheat in minor ways, perhaps; everybody does because there are so many ridiculous rules within the NCAA against such things as picking kids up on the edge of campus and bringing them onto the campus, and that kind of thing.

There are all kinds of rules that are easy to break, but if you have good rules and you have the coaches in secure positions and the academic understanding that they are going to be treated appropriately, you will not have the cheating.

But send the message to the high schools, send the message to junior high schools: no more underqualified students, no more morons going through the system. The message will be clear, the junior highs and high schools will respond, and the colleges will benefit.

Thank you.

[The prepared statement of Mr. Underwood follows:]

JOHN UNDERWOOD/Remarks to the Senate Subcommittee on Education, Arts and Humanities. June 26, 1984.

I appreciate the opportunity to appear before this distinguished body, and I applaud your efforts to throw more light on a portion of our educational system that is seriously flawed. Alas, the flaw has been there a very long time, and has been "examined" before. It is now, actually, an ugly, gaping wound that has too often been covered instead of bandaged and treated with elixirs instead of strong medicine. I caution you, therefore, to remember that it is not just the abuses to and by scholarship college athletes that you must address your attention, but the system as a whole.

Much of what follows is covered in a book that I have written and will be published in the fall. As adequately as I can, I have covered, in these paragraphs, the course that sport has taken that led it to the shameful abuses of the educational process. In a nutshell, it is the big business of sport that has created the dilemma of the uneducated athlete you now face. To miss that point is to miss the forest for the trees.

INTRODUCTION

Sport in America has been transformed into economic snakeoil. From something wonderful, it has been made grotesque by commerce. It has been distorted and polluted by money, and the never-ending quest for more. It has been appropriated by a growing army of owner-entrepeneurs who made a remarkable discovery after the 1950's. That sport was not sport at all but a tool for extracting incredible riches from the sports-hungry populace.

Sport's leadership threw in to this madness by placing such an oppressive burden on winning that it made desperate men out of its coaches and better athletes. Winning pays the bills. Winning assures the television deals, and the outlandish contracts and salaries. The desperate athlete resorts to almost anything--to cheating, to brutality, even to poisoning his body with drugs--to stay in the money.

The desperate coach becomes traumatized by the need to win. He is not blind or deaf to the demands. He knows that by the time he gets his ear to the ground to pick up the negative vibrations he is liable to be out on it. In the Big Sorpts marketplace, there is no such thing as security for a coach. When he starts out the one thing he can be certain of is that he will be fired, sooner more often than later.

The process has debached sportsmanship to the point where winning at all costs is, indeed, costing too much. The items include honor and fair play. To corrupt the educational process, to make a fraud of the student-athlete in order to win is not to win at all. But the market teaches tne young men of sport to accept cheating as part of the process, even as a means to an education, or as a substitute for it. Like zombies they willingly go along as the process hastens their dehumanization. The "pro drafts" are slave auctions that violate every tenent of the free enterprise system. College recruiting is a ritual of bribery that too often rewards cheaters with conference championships and television dates. The threat of getting caught is no deterent.

The National Collegiate Athletic Association has had to mete out penalties against 176 of its member schools on 264 occasions since it began a rules-enforcement program in 1952. In 1982, the fed-up president of San Francisco University, facing the school's thrid probation in four years, dropped basketball. It was the only way he knew to stop the cheating.

Both practices--recruiting, drafting--easily create in the athlete's mind a cynicism for the system and a broad distrust of the "superiors" he must deal with. Especially if he wakes up on the other side of his athletic experience to find he has neither money in the bank nor an education to pull him through. On this loathsome byway, the black athlete has been expecially misused, although it is difficult to tell him that because he has been getting a large share of the pie lately and doesn't want to let go. His own black leaders--most of them--don't tell him. They allow him to believe that salvation is just one more bounce of the basketball away. From the ghetto to the grave he believes that, and the results are often tragic.

HOW THE SYSTEM EVOLVED

Chaos can have gentle beginnings. The evolutionary process that leads to manipulation and dehumanization of today's athlete is hatched more often than not by caring people who love him. But once in motion it moves him as remorselessly as an assembly line, often under the control of uncaring people who use him. When he emerges on the far side, himself a user bereft of gratitude or grace, and sometimes dangerously antisocial as well, it is easy to forget that it may have begun with the best of intentions.

I have a tape that Bill Walsh made for me just after he defected from Stanford to coach the 49ers in the National Football League. I met Walsh on that tape, but I felt I had known him for years. We could have sung duets.

The process starts, Walsh said, with that first day the youth league coach takes the youngster under his wing and tells him he can be a "great player." To do it, he tells the boy to specialize, to "forego all the other sports--no tennis, no swimming. 'Never mind the piano, practice your baseball.' The coach cares. He enjoys his work and, naturally, he'd like to develop a star player.

"The boy enrolls in high school, and the coach there sees his potential. He wants him to have the 'opportunity to excell.' Whether he realizes it or not, the coach starts directing his life--telling him what courses to take, giving him a study program that does not challenge him in the classroom or develop the disciplines of the mind that will best serve him in society.

"The parents fall into the trap. They're happy their son is being 'taken care of.' If he is really exceptional, the local townspeople get involved, from the mayor on down. They treat him specially, to the point where he does not have a real perspective on life. 'Things' are done for him. Grades are 'given.' No one wants to spoil his chances to make it big.

"The college recruiter visits. He tells the parents he will 'take care' of their boy. That he'll have the 'best of everything.' The young man still has not had to deal with the day-to-day frustrations others feel. Subconsciously, he is quite willing to accept this attention--his name in the paper, a suit of clothers, being steered away from classes he 'won't need.' After all, he's going to be a pro."

Walsh said that such a boy goes through his entire academic career "protected." He lives in special dormitories, eats special food, takes carefully-chosen courses. He lives and moves with youngsters of the same narrow, selfish interests. The coaches try "harder and harder to segregate him because that's what the competition does, and he goes along willingly, and so do his parents. We do everything but educate him. We're afraid he'll fail, so we look for ways of making it easier. Soon his entire outlook is distorted."

The climb leads to more and larger distortions. "To fast money, and faster friends. To 'deals,' and maybe to drugs and shady people. He's like the beautiful woman who has been 'taken care of,' until her beauty wanes or her dumbness manifests itself. Then comes reality. Suddenly he can't handle the things he has been sheltered from. He wakes up at 25 or so with no education and nothing to grab hold of. Resenting everything, unhappy with himself. And if he's black, he'll say it was a racial thing. 'I was taken advantage of because I was black,' or because 'I was poor.'"

ATTEMPTS TO CORRECT THE SYSTEM

The 22 college and university presidents who made up the American Council on Education's ad hoc committee demanding tougher new academic standards for student-athletes took their cry for relief to the NCAA in January 1983, and it had the unmistakable ring of a fed-up group that wasn't going to take it any more.

They proposed--and got, tentatively--higher eligibility requirements for scholarship athletes (not just a 2.0 grade-point average coming out of high school, but an average gained through a core curriculum of 11 academic courses, as well as a 700 combined score on SATs) and stricter normal progress rules (with the proviso that a minimum number of credit hours be completed toward a specific degree in the year preceding competition).

The former would, perforce, put a greater burden on high schools to educate their athletes before they graduate them, and would thus help relieve the colleges of what one president aptly called the "academic salvage operations" they have been attempting (unsuccessfully) the last decade or so. The latter would make it tougher for coaches to shelter their players from a meaningful education while they used up their eligibility. The whole system would benefit, most especially the athletes.

The 22 college presidents might have won a battle on the NCAA convention floor, but the war was far from won. The new rules for tougher standards could scarcely be called a mandate for sweeping change--they were not that tough. Too, they do not go into effect until 1986, and even before they were passed the shrill cry of the offended could be heard throughout the land. As we shall also see, college administrators are less than unified in the methods needed to clean out the cesspool. Some of them can't even see the cesspool.

At last count 18 schools were under some form of NCAA penalty. Another 25 or more were being investigated by an NCAA enforcement wing that has grown to frightening size. Frightening because there is no progress in the progress inferred by adding more (and more and more) investigators to the NCAA's far-ranging investigative staff. To the contrary. That college sport needs a police force at all is vulgar and depressing.

CHEATING ON AND OFF THE FIELD

Cheating is anathema to sport. If you pay your quarterback under the table and I don't, you have created an unfair advantage. It is cheating. When you shuffle you star forward through a meaningless high school curriculum while the other guy's star foward is taking all the required courses and staying up nights to pass; when you bend the entrance requirements to get him into college, and then keep him eligible through phony accreditations while the other guy is going by the book, you distort competition. You are a cheat. It is as damaging to the spirit of competition as tactics that physically hurt an opponent.

The one place we should, without question, be able to expect honest achievement is on the playing fields of our college campuses. Institutions that deal with the life-making processes of our youth should be so sensitive to rules-bending, so repulsed by cheaters, so on guard against the athlete who "hears the cries of the crowd by never the rustling of a page," that cheating at that level would be a rare and exceptional thing. If we can't count on that, they are an insult to education and anathema to sport. They should close the store, as San Francisco did.

Why then do coaches cheat? Mainly for the same reason they always have. There is no mystery to it. Because we make desperate people out of them. Desperate to win, to fill the stadium and get the television money and pay the growing bills.

We give them inflated salaries and massive responsibility, and practically no security, and insult their intelligence by suggesting they are just one of the professors. They are highly-competitive people, but we tell them we don't think they'll stay that way if we make them safe from the unemployment line. The only assurance we give them is that if they don't win they'll be on the street.

We have told them at every level that it does not matter how clean they keep their program. It does not matter what percentage of their athletes graduate, or take their place in society as assets. It does not even matter how well they teach the skills of their competition. All that matters is the flashing scoreboard lights.

Off the fields, coaches see the other hard reality: that apart from the competition, but directly influencing it, are a lot of people who cheat and nothing happens to them. Nothing except that they go to bowl games and are heroes in their home states--in some quarters even bigger heroes for having beaten the system. Why should it surprise us, then, when coaches say they would rather get caught cheating than lose?

Good coaches are special. Their influence on young people is massive, and they are not blind to it. Most of them handle this trust tenderly, even to the point of taking on educational responsibilities that should never have been their's in the first place. Most of them now spend considerable time and energy supervising tutoring and counseling programs, and have cultivated an appreciation for a student's classroom status that makes the concern of academic deans pale by comparison.

When coaches wind up on the seedy side of recruiting--promising money, promising grades--or are revealed teaching techniques that might get somebody hurt, it is usually their fellow coaches who come down hardest on them.

So coaches know where the bodies are buried, and in increasing number so do the athletes, and this is the most portentous factor of all. Lo, they can see, and the consequences have made for intriguing twists, not to say stunning turnabouts. Some of them in courts of law. One in particular caught my eye. When a basketball player named Mark Hall was ruled academically ineligible by the University of Minnesota, he hired a lawyer to challenge the ruling. And a district court judge made a shocking decision. Judge Miles Lord ordered that Hall be reinstated on the grounds that he was brought to that school not as a scholar "but as a basketball player."

Within the context of Judge Lord's ruling was the nut of the issue. I hope somebody was listening. Said the judge, "It well may be true that a good academic program for the athlete is made virtually impossible by the demands of their sport at the college level. If the situation causes harm to the university, it is because (college administrators) have fostered it, and the institution rather than the individual should suffer the consequences."

WHY STUDENT-ATHLETES BECAME ATHLETE-STUDENTS

Varsity athletics are considerably more than games for the scholarship athlete. Practice is long and hard. There are films to watch, wounds to heal, training table and meetings to attend. The player leads two lives: a tough one as a student, a tougher one as an athlete. His academic schedule is interrupted by travel and absences. He is chronically tired, often injured. He is really asked to lead a "semi-disturbed life", says

Psychologist Thomas Tutko. Most who quit without earning their degree don't go back. I am concerned for those who believe that they have great talent, and then quit their chance for an education to chase the dream. Team sports are beguiling that way. There is no unyielding par, no impassive stop watch to tell a youngster how good or bad he is. There are far too many young men who think they are on their way to millions, and will forego their education for it.

The larger sin is in not dealing up front with the true definition of the college athlete in today's market. By vigorously upholding the comic pretense that he is a student-athlete, and not the opposite of that, we have mandated the perversions of the academic process that have caused so many spectacular failures, no longer possible to disguise.

For the life of me, I will never understand why we are shocked when they accept bogus grades (or sports cars or whatever the recruitment currency of the day might be). Or act like cons and thugs. They see excess all around them; they are weaned on it.

How many times do they have to have their education stilted by the exigencies of the budget before it sinks in?

How many times do they have to see their athletic department in its hunger for funds change dates, rearrange schedules, accept matches in the middle of exam week (or half-way across the globe) to gain a monetary concession from the insatiable television networks? At the expense of valuable study time?

It is a money ethic that now dominates college sport. It has been pointed out that NBC paid more for the rights to telecast the Rose Bowl than Thomas Jefferson paid for the Louisiana Purchase. When USC was put on probation for, among other things, a ticket-selling scam run by an assistant coach for football players, its president indicated where he stood on the righteousness front by threatening to sue the NCAA for this imposition. Never mind the disgrace. It was going to cost the school "millions" in TV revenue.

College sport needs to erase once and for all the image of exploitation that has plagued it ever since it got into the Big Sports business, and allowed that business to polute the academic mission. The recent spectacle (by wire service photo) of a lanky young black man looking miserably out of place in a Chicago elemenary school classroom told it plain enough.

He was not the freak result of a physiological quirk, he was an adult basketball player named Kevin Ross, 25 years old and trying to correct the legacy of 16 years of a misspent education. The last four years were misspent a Creighton University. He could read at no better than a fourth-grade level.

ABUSES AT ALL LEVELS

High schools--many of them--do not educate many of their athletes, they merely graduate graduate them. Junior colleges--many of them--have such meager academic requirements that they are fertile ground for any angling coach who feels the need to do some academic cheating to keep his players eligible.

The sins of the high schools and junior colleges are visited on the major colleges, where the buck stops. Colleges with any academic fidelity at all may not be squeamish about consuming an athlete's eligibility (his playing time), but they usually draw the line at granting him a degree he has not earned.

Academic standards have eroded and been undermined to the point were more unqualified "student-athletes" than ever have been getting into college. Not just underprivileged young men who need a chance, but uneducated young men who have no chance, not in the classroom. They wind up down the road with neither of the things they need most: 1)an education, and 2) a degree.

Administrators and academicians who have traditionally tried to keep "Big Sport" in its place have themselves been the architects of all this chaos, and have created the ultimate irony: they have subverted their own system. Caught up in the money-madness, they have made a legion of scavangers of their coaches--coaches desperate to win, desperate to get and keep in school those players who can help them win, and thus keep business booming. The failures of administrators are as joined to the sins of coaches as a man's leg is to his hip.

Under the guise of "affirmative action" and other civil rights programs, athletic administrations have only made athletes more exploitable--and exploitive--than ever. Short of successful prayer, "eligibility majors" will go through the process doomed to failure and a future of disillusionment. To do this to black youth, in this society, at this time, is unconscionable.

In the last 25 years the colleges have allowed their "money" sports, football and basketball, to become farm systems for the professional leagues, and in so doing permitted their athletes to embrace the terrible myth: that the "logical ascension" to the pros is compatible with the academic environment, *even at the expense of scholarship*.

Scholastic cripples are thus invited into college to pursue an impossible dream: to become one of the infinitely small number (less than two percent) who make it in the NFL and NBA.

Finally, the coaches themselves--traditionally the heavies in this long-running melodrama--see it better than anyone else. They are at once culprits and victims, and many of them have had enough of being both. "Our administrators tend not to deal with the problem at all, but to gloss over it with a lot of fancy dialogue," said Bill Walsh after he quit as head football coach at Stanford to go with the San Francisco 49ers. "When you enroll a kid who has no chance to cut it academically, you're guilty of manipulating that kid. When you protect him from an education instead of educating him, you're guilty again."

High schools--and, down the line, even grade schools because it starts there--need the strongest possible signal from above to jerk them into accepting their own irresponsibility. They need to be blamed outright for pushing academic oafs up the ladder to failure at the college level. To be told that *they* are accountable, too, when the uneducated star athlete is left in the lurch after his eligibility runs out.

To help qualify him for a basketball scholarship to Indiana State University, a special verbal examination was given a black athlete at Englewood High in Chicago. He was asked to name the 12 months of the year. He passed the test by naming 10. A halfback in Kankakee, Ill., qualified for a scholarship in the Big Ten Conference when a substitute teacher who took over the course in the final three weeks of the term "gave" him the C he needed to pass the English course he had been flunking. The C raised his grade point average to the minimum 2.0.

The possibility that some young men, black or white, athletes or not, simply aren't college material and will never be does not deter the effforts to exploit them.

THE PRO MYTH

The pro myth is fed by an irresistible hype. There is a pot of gold at the end of the rainbow and its names are "National Basketball Association" and "National Football League," and a number of lesser aliases. The sports pages crow with the figures to be made. Agents swarm into the ghettos like bull ants to tell how those figures are enhanced by "clauses," and how financial coups are available for superstars. Hardly a day seems to go by that another talented non-graduate does not sign another multi-million-dollar contract.

The colleges sucker in. They are part of the machinery. There is so much money to be made in big-time sports that everybody cooperates. (When asked once why the pros did not have farm systems, General Manager Red Auerbach of the Boston Celtics replied: "What for? We have the greatest farm system in the world--the colleges.")

College recruiters know they cannot justify the sell-out on scholastic terms, so they try to justify it with dream talk. They brag about their ability to place players in pro ball. They pitch the pro myth to 18-year-olds, and get O.J. Simpson and Tony Dorsett to make a call.

Their publicists send out press releases ("The Big Eight Conference has more players--135, count 'em, 135--in the NFL than anybody") and decorate the pages of their athletic brochures with those who have "graduated" to the pros. One school produced a four-color recruiting poster that included pictures of those who "made it," under the caption: "A Pipeline to the Pros."

It is a pipeline to disillusionment and heartbreak. Never mind that four out of five NBA players have not graduated from college. Never mind that almost two-thirds of all NFL players do not have diplomas. Never mind that. They're the ones who "made it." The great multitude of hooked youngsters who are throwing away their education a little bit every day to follow the pro dream is the real tragedy. There are no publishers of puff sheets for them.

According to the National Federation of State High School Athletic Associations, 700,000 boys play high school basketball and one million play high school football every year. At the NCAA level, the numbers reduce to 15,000 in basketball and 41,000 in football. About 4,000 players complete their college basketball careers each year; same 200 get drafted by the NBA, around 50 actually make NBA teams. The average player's career lasts 3.4 seasons. In the NFL, about 320 college draft picks go to camp each year; roughly 150 make it. Those who succeed play pro ball for 4.2 seasons.

If the odds were displayed on an infield toteboard, only a fool would take them. Thousands and thousands to one against making the pros: 6,000 to 1 for a boy playing high school football; about 15,000 to 1 for the boy playing high school basketball.

THE DILEMMA OF BLACK ATHLETES IN AMERICAN EDUCATION

Only a fool would argue that being black is no longer a liability in America, and where the dilemma has not changed, except to get worse, is in the fact that "getting into" a university and "getting out" with the paper to prove it are two different things. More black athletes graduate from colleges every year--but the ratio of those who do to those who don't has declined. Fewer than half, and maybe as little as 20 percent, of the black athletes on scholarship wind up with degrees.

An official from one school in the Deep South admitted to me that in the first 12 years of integrated classrooms, it had not graduated one black athlete. Another school had 91 blacks on its varsity teams over a 10-year period and only 10 had graduated.

Many factors are blamed for the grim statistics, and most of them are not new: The socio-economic handicaps. The failures of education at the lower levels. The declining standards that allow the "pampered" athlete to be carried piggy-back through the system while his potential slowly petrifies, only to find, in college, that there are no baccalaureates for illiterates.

Black academicians in the NCAA consistently led the movement for lower admission standards, getting them as low as possible and keeping them there. They did this on the reasonable grounds that opening classroom doors as wide as possible would create an atmosphere of acceptance that would lead to greater achievement.

But permissiveness is not policy, and the results have not been gratifying. To the contrary. Allowing athletes, black or white, to go unchallenged scholastically is a permission slip to heartbreak. College recruiters complain of an all-too-familiar pattern. The requirement for a football or basketball scholarship is a C average through high school. A school finds out a college coach is interested in one of its "boys." The boy reads at the fifth-grade level. The boy suddenly becomes an A student. The NCAA has a case on file of a New York athlete who showed colleges three different transcripts--three sets of grades.

You cannot cure a cancer with powder and paint. When kids pass who don't deserve to, teachers know it, administrators know it and other students know it. It erodes the whole network of discipline and respect that makes the educational process viable. Giving an athlete a "break" to get him into college only makes for a continuum of cheating and failure and increases his distrust for the system. There are no noble monuments to cheaters.

It was into this breach that the NCAA finally moved in January of 1983 with its proposed upgrading of admission standards--Proposal No. 48 on the convention agenda, pushed by the select ad hoc committee off college presidents. Beginning in 1986, incoming freshmen, to be eligible for varsity competition, will have to score at least 700 of a possible 1600 on the SAT (or 15 of a possible 36 on the ACT), and have accumulated a minimum 2.0 grade point average in a specific number of college preparatory courses.

It was a first step. It should not be the last.

Senator STAFFORD. Thank you very much, Mr. Underwood.

Senator Metzenbaum, do you have questions?

Senator METZENBAUM. I do.

Coach Smith, you indicated some question as to whether this committee, or the Congress really, could do anything about this problem. Howard Cosell said that we will only solve the problem when the presidents of the universities make that determination and say, this is the way it is going to be.

Probably all of us here would agree that we will really only solve the problem when there is the will to do it through the presidents and the coaches and everybody else along the line.

But I think that there is a possibility we could make some meaningful headway with legislation, and each of you may have some suggestion or reaction as to a piece of legislation that I am contemplating introducing. You may have some additions or modifications, or you may think it is a bad idea generally.

The bill that I have been contemplating introducing would require university athletic departments to maintain an accurate accounting of all athletes under scholarship, broken down by sport in order that you could track their academic progress.

The second thing it would do is it would require institutions to make an educational commitment to the athlete at the time of recruitment. In other words, when they give him or her the scholarship, that would be the commitment that the scholarship would be there for the student-athlete to graduate.

And if it took 4 years or 5 years, that scholarship would not be terminated. It would not be terminated under any circumstances if the individual was injured. The penalties we could work out not by putting anybody in jail, but by having some impact upon the title

IV funds, Federal aid to education funds. We could put sufficient teeth in it; I am not worried about that.

I would ask you first, Coach Smith, do you have any reaction?

Mr. SMITH. Senator Metzenbaum, I think that is something I said, but I like you saying it better because you have more power, in that we could say these are, in fact, no-cut contracts, because first you decide, are athletic scholarships right? Once you decide they are right, then let us make them where a young man from an underprivileged background could live like a normal student.

I am for more student aid to that athlete, legally. And then, as you point out, the university must continue to educate as long as he is eligible to return to school. I think that is very good.

It might be my last time at the mike. I did not know Harry Edwards was here, but he is a man about whom I have read a great deal about and what he has to say, John referred to that, also. It is so important to set standards within reach, but high, and I think anyone would respond to it.

The principal of Erasmus Hall, McNeil, in New York—Howard knows Dr. McNeil. He was talking about a young man and then he said Barbra Streisand is an A student in the same class. And this young man needed a 67 to play ball; he had a 67. He said if we had an 87 to play ball, he would have 87, so I think it does go back into that.

But, yes. I think that is a real, live possibility, but why could not the NCAA vote that into legislation and we would not have to go through the Senate?

Senator METZENBAUM. We will hear from them later.

Howard, would you care to comment?

Mr. COSELL. Pardon me, sir? Would I care to comment?

Senator METZENBAUM. Would you care to comment on that kind of a legislative approach?

Mr. COSELL. Well, I think that there is a broader question involved. I do not question the validity of motivation. I question whether or not the Federal Government should get into this kind of business in this vein.

As a matter of fact, this relates to the whole sweep of sports in America—matters currently before the Senate Judiciary Committee, for instance, and I have testified before them.

Go back to April 5, 1982, an editorial in Business Week. It is time for sports, which is big business, John Underwood emphasizing the very point I had made earlier—it is time in America for the sports businesses to be operated like every other business in America; no special purpose legislation, no exemptions from the antitrust laws, not for baseball or anybody else.

Let sports in America conduct its business like any other business, subject to the antitrust laws and all of the other laws that all of the great companies of this country have to cope with.

That done—and that is what I mean by the whole sweep of sports—when you do that, you take Government out of the sports business, really. And I question not your motivation; I question whether or not this should not be done self-enforcedly by the NCAA, as Dean Smith suggests.

I do not agree with John Underwood, who maintains a pallor despite a residency in Florida. [Laughter.]

And I congratulate Dean Smith on his now apparent ability to lose the big game nearly every year with great grace. [Laughter.]

So I am not happy with the other members of this panel either, John. [Laughter.]

But under any circumstances, sir, I applaud your motives. I do not think I agree that this is a matter for Federal legislation.

Senator **Metzenbaum**. Well, let me respond, and not in an argumentative manner, because I agree with you that this is probably not a matter for Federal legislation. Yet, in so many areas—labor management relations and other areas as well—it would be far better if the Government would not be involved, and yet usually you find legislation that comes about because there is a problem and no solution is provided by those who are in a position to provide the solution. And so, out of a sense of frustration, you find a legislative approach.

We will hear from the NCAA a little bit later as to exactly what they are doing and what they intend to do, but I agree with you on the premise that it is not the place where we ought to have legislation. Yet, if all else fails, day after day I see coming to the floor issues that come about because that is the only road to go.

Mr. **Cosell**. I understand that full well, sir. A perfect analogy is lodged in the recent franchise removals in the National Football League where the great cities of this country have been brought to their knees not merely by franchise removals, but the mere threat thereof.

It happened in Baltimore for a long period of time, as that errant owner went first to Los Angeles, and then to Jacksonville, and then to Memphis, and then to Phoenix, and then finally, in the darkness of night, to Indianapolis on the Mayflower. They should not be called the Indianapolis Pilgrims, if you want to know the truth. [Laughter.]

There was the case of a removal. But the Vikings threatened removal or else they would go to L.A. Joe Robbie and the Dolphins threatened removal or else they would go to L.A., and city after city was brought to its knees.

Now, what can you do about this? The answer is not in a retroactive law, in my view, as proposed by the National Football League. That goes against our whole government of laws, our whole judicial process.

Everything the NFL has been offering is, to me, obnoxious under our Constitution. What can you do? Then you get to this recourse: unless you put them subject to the antitrust laws—no more special purpose legislation of any kind, the way it was recommended in Business Week on April 5, 1982—unless you do that, then you have what you have.

The only recourse is Federal legislation, providing two basic, do not interfere with the business guidelines. One, there are only two grounds for franchise removal: A, abridgement of the lease by the landlord, or, B—these are in broad terms, of course, no refinements to be set forth here and now—or, B, the ability to prove financial distress over a reasonable and continuing period of time—say, 3 years.

Those would be the only basic grounds, those grounds federally legislated, for franchise removal. That is what you were getting to; there is no other way, you say. Well——

Senator **Metzenbaum**. I think there is another way if the will is there to do it.

Mr. **Cosell**. Well, I think that is your job, working with the NCAA.

Mr. **Smith**. Senator Metzenbaum, I would add, too, that the college presidents should run, and by NCAA rules they do run, college athletics. We need to somehow get them to realize that and to ignore their fund-raising alumni. They must be in charge, as John stated, to give tenure to coaches—not lifetime tenure, but a long-range contract. It is not whether you win or lose, but you do not cheat and the guys graduate and you represent the university well.

Senator **Metzenbaum**. Mr. Underwood, would you care to comment?

Mr. **Underwood**. No. I would like to ask what Howard was talking about; I have no idea.

Mr. **Cosell**. You are not really going to take me on.

Mr. **Underwood**. I think that without a doubt, the burden should be on the presidents of colleges at all intercollegiate levels, whether it be division I, II, or III.

So much can be done when a good administrator gets involved to head off the abuses that you have heard today and have been seen so dramatically over the years. I will give you an example at the high school level.

There is a little school in southern California near Watts; it is a mostly black, Catholic high school called Verbum Dei. I do not know what the enrollment is; it is less than 1,000, I think. Its athletic teams have competed very well over the years in both football and basketball.

A black priest named Thomas James came into that school I do not know how many years ago, at least 10 now, with the idea that the students coming out of that school—and they represented only about 15 percent going on to college—were not being educated.

He put in rules—rules about English classes, rules about curriculum. Know Your Car, for example, was one of the subjects be eliminated. He put in a curriculum that meant something to the athletes who were required to stay within it.

The bottom line is that 5 years later, with increased efforts by all the faculty at that school, Verbum Dei was graduating and sending to college 85 percent of the student body—a dramatic change, because some one cared.

Father James did not lower standards; he raised them.

Mr. **Cosell**. He raised them.

Mr. **Underwood**. The colleges need to have the system changed. Coaches do, too. Coaches are special people, I believe. My father died when I was 4 years old and coaches meant a lot to me growing up. And I can tell you that at the college level they are just as special as they are at the high school level and the junior high school level, except that they are more pressured to win; that is all.

But they care about athletes; I guarantee you that 99 percent of them care, but they also want to keep their jobs. It is up to the presidents of the schools of this country, at the highest level of sport, to show the highest level of concern for the athletes, the coaches and the system.

Senator **METZENBAUM**. Would you think that the suggestions that I have made—and I am frank to tell you that I am not certain; if I were positive, I probably would have introduced the legislation already—and that is to require the athletic departments to maintain an accurate accounting of all athletes under scholarship, broken down by sport to track their academic programs, and the second point, requiring the institutions to make noncancelable scholarships——

Mr. **UNDERWOOD**. I think first of all that that should be handled by the NCAA. I think the NCAA should have a clearinghouse, knowing exactly what schools are graduating what percentage of athletes, and then act accordingly.

I think penalties should be meted out when rogue athletic departments do not live up to the educational standards that the NCAA sets. Education should always be the primary concern.

As far as what happens to the individual when he comes into the system, when you start requiring 4-year scholarships—I had this debate several years ago with Daryl Royal at Texas, who I think is a good man, and also was a caring coach. He did not want 4-year scholarships. He believed that too often you get kids coming into the system who will not put out the effort once they get the 4-year scholarship and, in effect, just ride through.

Well, as long as you have big-time athletics requiring the athlete to be almost supernatural in his effort—I mean, he is not just a student in the classroom or an athlete on the field. He is an athlete first, spending 8 to 10 hours a day at it, and then has to be a student on the side.

As long as you are requiring that kind of devotion to help fill your stadium, naturally you have to give him in return the thing that he is there to get—and that is an education, not a ticket to the pros.

But if he is in any way not living up to his end of the bargain, I think coaches and administrators have every right to say, "No more scholarship for you." So a requirement that says you have got to keep the boy for 4 years might not be a good idea.

Senator **METZENBAUM**. You said that, naturally, you have to give him an education, and there seems to be an overabundance of evidence that many colleges have not concerned themselves at all with giving the athlete the education. They have kept them traveling, they have kept them practicing; they have not given him any time to get his work done.

The average college student has a real challenge to find enough time just to study and to keep up with his workload. Then you take a young man, or possibly a young woman, and you have them involved in athletics and the pressure is on—practice all the time, bull sessions having to do with strategy, practicing further, traveling to another city, coming back. It is tiring to do all of that—the excitement, the tension going into a game; the tension after the game.

Now, what concerns me is, I think, that the two witnesses we had earlier—and I am sure we could have had 20 more—were not getting the education. I mean, that was not the emphasis at the college. It seems to me you cannot say, naturally the student is going to get an education because that is not what is happening in a good many institutions now.

I am not sure that even with NCAA supervision that it is going to happen that way, and I think we have to provide some pressure mechanism on the universities.

Mr. **Underwood**. Absolutely. The evils of the system, I explored in detail 4 years ago in Sports Illustrated.

Senator **Metzenbaum**. I know.

Mr. **Underwood**. We called it the tragedy of college sport. This is exactly what is happening. However, what I am saying is that the onus should be put on those who are most responsible, and that is the presidents and the administrations of colleges and the NCAA; take that job out of the hands of the coaches.

First of all, it is not really the coach's job to see that that kid gets 4 years of an education. It is the school's job, not just the coach's; it is the school's job. The coaches get involved more than ever, much more so than the dean of the English department does with his students. Coaches are involved on a day-to-day basis with these athletes.

The time has come to take that job out of his hands and put in the rightful hands of the administrations within the NCAA.

Senator **Metzenbaum**. Thank you, Mr. Chairman.

Mr. **Cosell**. Well, that was our point from the beginning, John. I totally agree with you. My question is one of philosophy of government, really. I just think that Federal legislation in this regard is wrong, and I think the responsibility goes to the presidents of the universities.

Senator **Metzenbaum**. I appreciate that.

Mr. **Smith**. Senator Metzenbaum, you mentioned the 4-year scholarship, and John did. I would disagree, in that once the coach recruits them and they are given an athletic scholarship, let them become educational scholarships and go as long as is needed. If the coach made a mistake, he made a mistake. Let us go back to why we are there.

The NCAA might not pass it and the university presidents might not pass it, but you mentioned about travel and meetings. Make freshmen prove for a year at the institution that they can do college work before they are eligible to play football and basketball, and then we would at least say, all right, you are a student first and foremost.

Mr. **Cosell**. One final point. John has emphasized the position in sociology in this country that is enjoyed by Prof. Harry Edwards, whom you will shortly hear, and John talked about the elevation of standards.

They went through a big brouhaha, as you will recollect, Dean, on the west coast when Chancellor Young sought to raise the standards for a student-athlete. Professor Edwards, as you will learn, supported that, and he was rebuffed by certain key presidents of certain key black colleges in the South.

The point here is that Professor Edwards, I think you will find, will vigorously support the elevation of standards that John Underwood espoused and that I espouse.

Mr. **Underwood**. One last thing on that. I agree with the 4-year scholarship rule as long as it is consistent throughout the NCAA. That is where your trouble starts. When one school thinks that another school has unfair advantage, whether it be in entrance requirements or normal progress rules, or whatever, that is when the cheating starts. That is when they say, well, we have got to meet the competition.

When you deal with any of these things in the NCAA, and the NCAA schools have to do this themselves, you have to say the system should reflect consistency throughout. That includes everyone.

Senator **Stafford**. Gentlemen, we thank you very much indeed. As I have listened to your testimony, it seems to me that this is not the time, in my personal judgment, for an attempt at Federal regulation through legislation.

But I agree with my colleague, Senator Metzenbaum, that unless the colleges, universities, and the NCAA at the division I level do effectively begin to police themselves, then the possibility that there will be inevitable Federal intervention becomes much greater.

So it seems to me that at this point it is something for the NCAA to consider a matter of self-policing. I have noticed in my role here as the chairman of this subcommittee that college presidents throughout the country have had to depart from their ivory towers a good deal to look after their interests on behalf of education here in Washington, DC, and what the Federal Government may do as far as the various Federal programs that affect their student bodies are concerned, and their universities.

So I get the message from you that college presidents had better also get actively in the business of watching over the academic concerns of the athletic programs that they are basically responsible for.

We appreciate very much your being here this morning.

Senator **Metzenbaum**. Thank you.

Senator **Stafford**. At this point we would ask panel 3 to come forward: Mr. John Toner, who is president of the National Collegiate Athletic Association, and director of athletics at the University of Connecticut; Ms. Linda Villarosa, who is from the Center of Athletes Rights and Education in the Bronx, NY; Dr. Edward T. Foote, who is the president of the University of Miami; and Dr. Harry Edwards, whose name has been mentioned several times, professor of sociology at the University of California at Berkeley.

Ladies and gentlemen, we welcome you here very much. Again, I say with apologies, as I always have to, that we are now beginning to run seriously short of time and we may be interrupted by a rollcall on the Senate floor at any minute.

So, where we have statements from you, we will place them in the record in full, and we would ask you to come as near to summarizing your testimony in 5 minutes as you can.

Having said that, I think we will go ahead, even though Mr. Metzenbaum had to leave for just a minute, and since this Senator has to leave to join the majority leader and other committee chairmen in about 20 minutes.

Mr. Toner, we would be glad to hear from you first.

STATEMENT OF JOHN L. TONER, PRESIDENT, NATIONAL COLLEGIATE ATHLETIC ASSOCIATION, AND DIRECTOR OF ATHLETICS, UNIVERSITY OF CONNECTICUT, STORRS, CT; LINDA VILLAROSA, DIRECTOR, CENTER FOR ATHLETES RIGHTS AND EDUCATION, BRONX, NY; EDWARD T. FOOTE, PRESIDENT, UNIVERSITY OF MIAMI, CORAL GABLES, FL; AND HARRY EDWARDS, PROFESSOR OF SOCIOLOGY, UNIVERSITY OF CALIFORNIA AT BERKELEY, BERKELEY, CA

Mr. **Toner**. Thank you, Senator Stafford, and in his absence, also, Senator Metzenbaum.

Senator **Stafford**. He is right here.

Mr. **Toner**. It is a pleasure for me to be here representing the NCAA, and also my own institution, the University of Connecticut. I thought I would confine these 5 minutes to scanning answers to the three questions that you directed to me.

Senator Stafford, I did receive your letter after the fact of submitting a written statement, and there is a followup and I hope that you are able to share that with the rest of the committee.

Senator **Stafford**. Certainly. We will make it part of the record at the conclusion of your testimony.

Mr. **Toner**. Regarding inappropriate grades, I simply must state that the NCAA is an organization of 976 members. It requires its members to treat athletes the same way that they treat other students, as a general policy principle, but in any case always according to the published standards of that university.

So, in the area of inappropriate grades, it is an institutional matter. My own personal experience, however, does indicate that it can occur? It has occurred, and it perhaps will continue to occur on a case-by-case basis.

When I arrived at the University of Connecticut, I arrived there as the head football coach, and a predecessor of mine and his staff, many of whom are now coaching in professional and in other colleges around the country, did attempt to influence grade changing in particular cases.

Senator **Stafford**. What year did you arrive there, Mr. Toner, if I may ask?

Mr. **Toner**. That was back in 1966.

Senator **Stafford**. Thank you.

Mr. **Toner**. But at that time there was an attempt, through phone calls, to not only inquire about grades, but to influence some kind of a break afforded to particular student athletes.

At the subsequent meeting of the university senate, there was an institutional order banning such calls. That still exists on our campus, and although there is a friendly atmosphere between the division of athletics and the faculty in general, there is no attempt, and I do not think it is a widespread practice.

In fact, whenever it has happened in my experience, it has been eliminated perhaps in the same way as we have back in Storrs, CT.

Regarding the question of athletes accumulating credits to graduate, I think we all must admit that it is tough, as other panelists have indicated, to meet the demands of intercollegiate competition at the highest of levels, the most competitive of levels, and to meet the requirements so necessary to develop normal progress toward a specific degree.

The NCAA member institutions have been doing something about this. Individually, on campuses, there is a great trend to offer student-athlete programs more counseling and tutoring in nature. But there is a beneficial trend that I see, removing such counseling and tutoring from the purview of the departments of athletics and placing them where they truly belong, in the vice president for academic affairs or such office at the institution, and to direct those counseling services and tutoring services pretty much in the same manner they would like to have them directed toward the rest of the student body, but funded by revenues from athletics.

The NCAA 2 years ago instituted an athletic eligibility standard which will be applied to all entering students in September 1986. This will require that high schools—and there are 22,900 high schools—in order for any of their graduated student-athletes to be eligible to participate at a member institution, division I school in the NCAA, they must show evidence on their transcript of at least 11 core curriculum subjects and a standardized test score on the SAT of 700 or the ACT of 15.

Recently, a letter and a brochure explaining all these procedures went out over my signature to these high schools, and in that there was recognition of the fact that much controversy surrounds the application of standardized test scores as a means of determining eligibility for athletics.

But I remind everyone that I do not sense a lessening of the desire to stiffen standards in these subsequent conventions we will have of our NCAA membership.

Also, in these past 3 years, the NCAA membership has instituted normal-progress-toward-a-degree standards of a quantitative nature which must be applied to all division I student-athletes.

The quantitative nature simply states that in order for a player who participates this year to be eligible to participate next year they must, on their record, show evidence of 24 credits passed toward their specific degree. Otherwise, they will not be eligible.

Senator Metzenbaum made a very interesting comment earlier that caught my interest, and I am sure there will be a question later, and I will leave the audit and certification response that I have listed here as a very much needed piece of legislation at the NCAA level. And if you care to wait on that, I will go on.

Regarding graduation rates, in 1981 the American College Testing Program conducted a survey of 46 institutions, 80 percent of which were division I of the NCAA. They measured the graduation rates for all male students at those 46 institutions.

Some 42.4 percent of male students that entered college in 1975 graduated after 5 years in school. All student-athletes measured 52 percent during that same study. Specifically, football graduated 42.9 percent—a little bit better than the graduation rate of all males measured in the study. Basketball graduated 41.9 percent—slightly less.

I submit that none of us is proud of that record of graduation rate, but I indicate to you that this is a trend in higher education and not specific to athletics. And I am wondering why such bodies as the American Council of Education or certainly accrediting agencies that make it a practice to accredit higher education programs or study toward degrees are not present at this hearing.

Senator **Metzenbaum**. In those studies, did you take into account the dropouts from the overall body of students by reason of financial inability to stay in college, as compared to football and basketball athletes who are there on scholarships?

It seems to me that if you just throw everything altogether, the figures may become somewhat distorted.

Mr. **Toner**. I am not trying to justify a great record in the graduation rates of our athletes. We feel that the recent conventions of the NCAA—the implementation of normal progress standards and eligibility standards for entering freshman is going to in a great way affect our graduation rates on an upward level.

We do not submit these things as standards for entrance requirements for all freshmen, only eligibility. But I am not defending the poor results of graduation rates across the land for any reason.

Regarding the financial aid question that you submitted to us, up until 1973 the NCAA membership did allow a grant in financial aid for athletic reasons to be granted for a period in excess of 1 year. In that year, the membership changed the rule to an annual award.

Now, it does not speak to the fact that the intent of that annual award may be for 4 or 5 years. But in 1973, the membership changed the legislation to commit 1-year annual awards, renewable by July 1 each year. The real reason that can be traced for this change was to bring athletic grants into conformity with grants given to other students.

In the intervening 10 years, I have not seen evidence that this is a big problem in the NCAA, through its committees, through its research groups, et cetera. But you certainly have given us focus of attention in this matter and we will continue to monitor it.

I would like you to know that there is evidence that although our institutions may grant, and most do grant, athletically related aid to students who have completed their eligibility, there is a feeling among the membership that it ought to be extended to a 6-year period, replacing the current 5.

That was an amendment presented to the membership and defeated by a rather narrow margin last January, but I think it will be one that will be coming back.

I covered the renewal obligations. By July 1 each year, institutions must let athletes know whether or not their aid is renewed. If their aid is not renewed, they must indicate the due process which is guaranteed under NCAA legislation. There is a due process procedure.

If the student-athlete does not agree with the reasons for which aid was not renewed, an appeal procedure before the financial aid director who deals with all financial aid matters for an institution—that appeal may be heard before that person and a committee of that office.

Again, the annual certification requirement that Senator Metzenbaum referred to might be reserved to a later question following the other panelists.

Thank you very much for allowing me to be here.

[The prepared statement of Mr. Toner and the letter referred to follow:]

STATEMENT OF
JOHN L. TONER, PRESIDENT
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
BEFORE THE
SUBCOMMITTEE ON EDUCATION, ARTS & HUMANITIES
COMMITTEE ON LABOR & HUMAN RESOURCES
UNITED STATES SENATE
June 26, 1984

I am John L. Toner, President of the National Collegiate Athletic Association, an association of 976 four-year colleges and universities, allied athletics conferences, associated institutions and affiliated organizations. I am also Director of Athletics at the University of Connecticut.

I am pleased to appear today, on behalf of the Association, to present testimony on (1) the graduation rates of student-athletes at NCAA member institutions and (2) NCAA policies with reference to the duration of award of financial aid to student-athletes.

The basic purpose of the NCAA, as stated in its Constitution, is to "initiate, stimulate and improve intercollegiate athletic programs for student-athletes and to promote and develop educational leadership, physical fitness, sports participation as a recreational pursuit and athletic excellence." A basic purpose of the Association is "to maintain intercollegiate athletics as an integral part of the educational program and the athlete as an integral part of the student body . . . ."

Consistent with this basic philosophy, NCAA member colleges and universities have over a period of many years adopted legislation setting forth minimum standards for eligibility for participation in intercollegiate athletics -- both in terms of initial eligibility and in terms of satisfactory academic progress after matriculation -- designed to insure the academic accountability of student-athletes. Legislation also has been in place for many years in Division I establishing minimum academic standards for initial eligibility to receive athletically-related financial aid. In general, I believe that these standards have been reasonably effective -- given the wide diversity in strength of our nation's secondary education systems and in the differing sizes, stated missions, and academic standards of NCAA members.

It is a popular misconception, probably deriving from media focus on a handful of professional athletes, that the college graduation rates for student-athletes are below the norm for all students. In fact, the contrary is true: student athletes at NCAA member institutions graduate at a rate substantially higher than the norm.

To date, the most comprehensive, completed study of this matter was issued in April 1981 by the American College Testing Program, reporting on graduation rates after five years for males[1] first entering college in fall 1975.

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[1] NCAA governance for female intercollegiate athletics is relatively new, and no comparative data are presently available with respect to female student graduation rates.

The ACT study, which covered over 36,000 male students at 46 NCAA member institutions (about 80% of which were from NCAA Division I), found that the overall graduation rate after five years for all male students was 42.4%. The comparable figure for male student-athletes was found to be 52.0%, or almost 10% higher. More particularly -- and also contrary to popular belief -- the ACT-reported graduation rates for football and basketball players were virtually identical to the 42.4% rate reported for all students: 42.9% for football and 41.9% for basketball.

The NCAA is currently collecting more recent graduation rate data from 205 Division I institutions. Preliminary compilations indicate that this current data confirms the accuracy of the ACT report -- at least to the extent of confirming that graduation rates for student-athletes are above those for the student body as a whole. We will be happy to share the results of this survey with the Subcommittee, when it is completed.

I do not believe, however, that the mere demonstration of comparable graduation rates for student-athletes should be permitted to end the inquiry. Both as an educator and as NCAA President, I am deeply concerned by any report that indicates that only half, or less than half, of our student athletes graduate after five years. And I take no particular solace in the fact that the graduation rate record for student-athletes at NCAA member institutions betters the norm for all students.

I do object, however, to using intercollegiate athletics as a whipping post for whatever deficiencies may be perceived in the nation's systems of secondary and higher education. The undergraduate programs and the courses therein of colleges and universities are not accredited by the NCAA -- there are national, regional and state education accrediting agencies that perform this function.

Too often, I think, there is a tendency on an issue such as graduation rates, both within and without American educational circles, to point an accusatory finger at highly-publicized programs of intercollegiate athletics, when in fact the issues are far deeper in terms of the adequacy of this nation's secondary and post-secondary systems. Simply stated, however, a graduation rate after five years for all students of 42.4% is just plain not good enough. Whether it is the fault of the system, the students themselves, or both, is a question deserving an answer.

No amount of legislation by the NCAA is going to correct this problem. We at the NCAA deal with eligibility standards for student-athletes, not the entire student body, and I hope that the Subcommittee's interest in the graduation rate issue bespeaks a wider concern about secondary and post-secondary education.

I happen to believe in any event that the focus on graduation rates -- at least in the context of intercollegiate athletics and probably elsewhere -- is really misplaced. What we at the NCAA should be focusing on -- and I am happy to say that some real progress is occurring in this respect -- is in increasing the basic eligibility standards for initial and ongoing participation in intercollegiate athletics. This places a needed emphasis on secondary school preparation, as well as continuing college progress, and if we are successful in this effort, then achievement of more acceptable graduation rate statistics for student-athletes will, I suggest, be the inevitable result.

A major step in this direction occurred at the 1983 NCAA Convention with Division I's adoption of "Proposal 48", an amendment to NCAA Bylaw 5-1-(j), to become effective in the fall of 1986. In essence, this amendment requires that in order to be eligible for intercollegiate athletics and receive an athletically-related financial aid as a freshman, a student must have achieved a minimum grade-point of 2.000 (out of 4.000) in a core high school curriculum of at least 11 academic courses[2] and a minimum 700 score on the combined SAT verbal and mathematics sections or a minimum 15 composite score on the ACT. These new standards for freshman eligibility are significantly more exacting than the present requirement, which refers merely to a 2.000 cumulative high school grade point average and does not specify the courses in which that average must be achieved.

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[2] Including three years of English, two years of mathematics, two years of social science, two years of natural or physical science, and two years of additional academic subjects.

At the same time, NCAA members have in the recent past adopted more exacting requirements for satisfactory academic progress as a condition to subsequent eligibility for intercollegiate competition. A significant step was taken at the 1981 Convention where, in essence, satisfactory progress for athletes eligibility was defined as successful completion of 24 semester or 36 quarter credit hours per academic year acceptable toward a baccalaureate degree. In 1983, a further amendment was adopted requiring a student-athlete after the second year of college attendance -- in order to maintain eligibility -- to declare a specific program of studies toward a baccalaureate degree, and thereafter to achieve satisfactory progress consistent with this declaration.

You should be aware further that NCAA members are at present considering the report of a select committee which, if enacted into NCAA legislation, would impose even greater requirements.[3] These include imposing a successively greater cumulative college grade point average as a condition of eligibility each year, mandatory filing by each institution of graduation rate reports with the NCAA, consideration of preparing and publicizing of graduation rates under a common national method, and elimination of freshman eligibility in varsity football and basketball. Some if not all the committee's recommendations will be before the NCAA Convention next January.

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[3] Report of the Select Committee on Athletic Problems and Concerns in Higher Education (October 1983).

To sum up on this point, let me simply say that we do not find acceptable the fact that graduation rates for student-athletes at our member institutions equal or exceed the norm for all students. The present norm itself seems unacceptable. Others with broader responsibilities for improvement in our nation's educational systems must address the fundamental deficiencies which bring about this norm: We at the NCAA have taken and are taking significant steps to ensure that intercollegiate athletic standards do not contribute to the problem but rather, if anything, improve a pace already above the norm.

I have also been asked to address myself to the terms of section 3-4-(d) of the NCAA Constitution, which provides:

> "Where a student-athlete's ability is taken into consideration in any degree in awarding unearned financial aid, such aid shall not be awarded for a period in excess of one academic year;. . . ."

Stated more directly, the rule prohibits NCAA members from committing athletically-related financial aid for more than one academic year at a time.[4]

This rule has been a part of NCAA legislation since 1973, and since that time, no proposals have been placed before any NCAA Convention to amend or repeal the rule. Prior to 1973, NCAA rules did not prohibit multi-year grants-in-aid.

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[4] NCAA legislation prohibits withdrawal or gradation of financial aid, during the grant period, for any "athletic reason", including injury, lack of physical condition,

Footnote 4 continued on next page . . .

It is important to understand that the basic argument, in 1973, for the one-year limit was that athletically-related scholarships and grants-in-aid should be awarded for the same terms as other undergraduate financial aid for students generally. One-year awards clearly are the pattern for higher education and educators contended that athletes should not be accorded a special, superior status in receiving guaranteed long-term awards when other students were not given such privileges.

Also let me emphasize that if aid is not renewed, NCAA rules [Const. 3-4-(g)] guarantee the student athlete an appeal opportunity and hearing before the institution's regular financial aid committee.

I do not believe the rule was adopted in order to permit member NCAA institutions to terminate financial aid to a student-athlete after a year, in the event he or she was unable further to participate in intercollegiate athletics by reason of injury or insufficient athletic skill. Indeed, NCAA rules relating to limitations of institutional financial aid awards specifically exempt from those limits any student who becomes injured or ill to the point that he or she apparently will not be able further to participate in intercollegiate athletics. NCAA Bylaw 6-4-(e). Further, an institution and its coaches would quickly destroy their recruiting credibility if they pursued a "runoff" policy.

Footnote 3 continued from previous page . . .
failure to "make" a team or to contribute to athletic success. NCAA Const. 3-4-(c)-(1).

I am aware of few instances in which NCAA members have terminated athletically-related financial aid to a student otherwise eligible for (and wishing to participate in) intercollegiate competition, for reasons other than lack of satisfactory academic performance. In a program annually involving some 340,000 student participants in intercollegiate athletics, there are bound to be occasional instances of institutional abuse or insensitivity. I suggest, however, that these cases are the rare exception -- if for no other reason than the fact that academically-unjustified termination of financial aid carries the real risk of unwanted adverse publicity, both for an institution's athletic department and its overall administration.

Personally, I am proud of the fact that NCAA members generate about $280.4 million annually to meet in great part the educational costs of their male and female student-athletes. This represents a great contribution to the educational goals of our society.

I firmly believe, moreover, that this is not an issue with which the Congress should become involved; any six NCAA member institutions may place a legislative proposal before the NCAA Convention, in any year, and were this in fact a problem of national significance in higher education and intercollegiate athletics, it simply strains the credulity to believe that the presidents of six institutions would not have caused -- at some time in the past twelve years -- an amendment to the rule to be brought before the Convention.

Thank you for the opportunity to make this statement a part of the permanent record of this hearing.

The National Collegiate Athletic Association
P.O. Box 1906
Mission, Kansas 66201

June 25, 1984

Honorable Robert T. Stafford, Chairman
Subcommittee on Education, Arts & Humanities
Committee on Labor and Human Resources
United States Senate
Washington, DC 20510

Dear Senator Stafford:

This will refer to your letter of June 19, with reference to the June 26 hearing on college athletic programs. Your letter was received after my statement to the Subcommittee had been prepared, and I did wish to draw your attention to certain information related to the questions raised in your letter.

Specifically, I want to draw to your attention that portion of the report of the Select Committee on Athletic Problems and Concerns in Higher Education, prepared last year and filed with my statement with the Subcommittee, relating to academic issues. This report deals -- certainly as well as can I -- with the general questions contained in your letter relating to academic progress of student athletes.

I do want to deal somewhat more specifically with the third question, that is, the extent to which NCAA members respond to the educational needs of student-athletes no longer able to participate in college athletic programs. In this context, I draw to your attention the statement appearing on page 21 of the Select Committee's report:

> With the extraordinary time demands that are placed upon student-athletes, graduation within the standard time frame is often difficult to achieve. At the expiration of the period of eligibility, many students are within a few units of meeting graduation requirements, but need additional course work to do so. The Committee

> believes that all institutions should be encouraged to provide financial aid to student-athletes who have completed their eligibility so that they will have every opportunity to graduate. This currently seems to be the practice by the great majority of Division I institutions and we believe that the practice should be universal. (Emphasis added).

I have very little to add to this statement except to say that it is my strong impression, but without the benefit of statistical analysis, that it is commonplace for NCAA institutions to provide financial assistance, following expiration of eligibility, in order for a student to complete the credits necessary for graduation. I agree with the Committee that this is the desirable practice; it certainly is the practice at my own institution, the University of Connecticut. Indeed, I should observe that institutions who do not follow this practice run a very high risk of gaining a reputation for insensitivity to the educational welfare of their enrolled student-athletes -- and a reputation of this character makes the recruiting of highly-talented student-athletes most difficult.

I should also draw your attention to the fact that NCAA rules expressely contemplate the possibility of the granting of financial aid to a student-athlete, following exhaustion of eligibility, without the granting of such aid serving to penalize the institution with respect to the total number of awards permitted to the institution under NCAA rules in a particular sport. Case No. 355, 1984-85 NCAA Manual, p. 346. In my statement to the Subcommittee, I drew your attention to the fact that a student athlete also would not be counted for these "maximum" purposes if he ceased to participate in intercollegiate athletics because of injury or illness.

I would appreciate this supplement letter being included in the permanent record of the hearings.

Very truly yours,

John L. Toner

John L. Toner
President

Senator **Stafford**. Thank you very much, Mr. Toner. What division does Connecticut compete in?

Mr. **Toner**. Division I.

Senator **Stafford**. Thank you.

Now, we would like to hear from you, Ms. Linda Villarosa.

Ms. **Villarosa**. Good morning. I am happy to be here on behalf of the Center for Athletes Rights and Education, which is located in the Bronx——

Senator **Stafford**. Can you pull that mike over just a little more so that our guests can hear you, as well as the reporter?

Ms. **Villarosa** [continuing]. And our partner in a counseling program we do with high school athletes, the Sports Foundation.

I would like to start with a short story. Two weeks ago, we had a fellow walk into the office. He was from the Bronx, a black man named Ronnie Ryan, and he had been a basketball player and a student at Marist College in Poughkeepsie, NY.

From the beginning of his life he had wanted to be a basketball player, a professional player. He had a room full of trophies. He would turn on TV every weekend and watch Dr. J, and he tried to pattern himself after that image.

He let his grades slip, so he attended a junior college for 2 years and then he was recruited by about 40 schools. He chose Marist College, a division I 4-year institution, where he had a very successful first year. He ended up the sixth man and was being groomed for a starting position.

The following year, he began to have conflicts with the coach. He was punished more heavily than other players, for missing practice for example, even though he was excused. The coach also said to him, point blank, that even though he was going to be a starter, he might not start for the whole year because the coach had pressure from the alumni to put white players on the starting lineup.

Then he got injured—a severe back strain—and he could not play anymore. The coach refused to pay for the medical bills, and also began to put pressure on him in other ways.

He left the school with unpaid medical bills which his mother picked up. He could not afford to stay in school and returned home to the Bronx with nothing—an unfinished degree and bad memories. He came to us for help.

Now, the point of this story is not that the coach was terrible, that he had done wrong by the player, or that he was treated unfairly. The point is that he did not have any recourse. He lost his scholarship even though he had been heavily recruited and sought out in a way that regular students generally are not.

As Dean Smith pointed out, there is no no-cut contract in college athletics, but Ronnie Ryan was given promises that were not kept.

Now, because we had so many student athletes like him coming to us for help we formed the athletes and parents counseling program these are student athletes who started off with a promising career in college athletics and maybe a future in the pros, but who came back with nothing.

So far, we have gone to the 19 high schools in the Bronx and met with student athletes, talking to them about college athletics. Included in our five panelists—is Dean Meminger, a former New York Knickerbocker.

The most important message we have is not villifying the colleges. We don't want to say, this is unfair, they are doing this. Mainly we want to say, be careful. It is a given fact that colleges and universities look out for their own best interests before the best interests of the athletes.

We warn the kids to protect themselves. For example, we tell them not to put all their hopes into a future as a pro. When we have the groups of students—say we have 100 student athletes—we ask them, how many of you think you are going to be pro athletes when you get out college? About a third of them raise their hands.

Yet there are only about 500, maybe 600 athletes every year who sign pro contracts, it is impossible that they are going to be any of those 600.

The other thing, Mr. Toner, we ask, is how many of you know what proposition 48 is. How many of you know what academic track you have to be on in high school so that you can be a college athlete in division I in 1986?

Generally, none of them know. Most times none of the administrators nor the coaches know that there will be a proposition 48, and that the class we have been talking to this year will be affected. Next year's juniors will be the first ones to fall under proposition 48.

Another thing that we do is give them a written information packet to read over and then take home to their parents. We suggest that they ask recruiters certain questions because many times recruiters are overly zealous about getting them to the schools and leave out certain information.

We have them ask the recruiters, for example is my scholarship only good for the 4 years that I am eligible as an athlete, or will you pay for the fifth year if it takes that long? Or is my scholarship covered in the case of injury?

The other thing that we caution them about is that it is very difficult to be a student athlete. It is exhausting, stressful, and time consuming. It is not a stepping stone to the pros and it is not a free ride.

For example, in a study done at the University of Wisconsin on freshmen basketball players, out of 105 waking hours there were practically no hours of free time left. Every hour was filled with practice, traveling, studying, going to classes, and playing in games.

Just to show that this stress takes a toll, in a recent study we did—we asked 500 basketball players at colleges and universities across divisions whether they cheated on exams, missed classes, had to pressure university professors into giving them better grades than they deserved, or whether they had to take easier courses and sacrifice being a top student for being a student athlete.

Across the board, significant numbers said that these things were true. The pressure that they felt as student athletes caused them to take drastic steps.

Now, to wrap up, in the future we are going to expand our program beyond the Bronx into the rest of New York City. We hope that it will become a prototype nationally. It is especially essential in New York City where there is only one academic counselor per 770 students.

We think that the problem, as Mr. Underwood said, starts before the college system. It is a problem at all educational levels of putting athletics before academics, and we want the athletes, as well as the colleges and universities, to be responsible for the academic side of college.

We are trying to prevent our people in the Bronx and all over New York City from leaving as assets and returning as liabilities. We hope that in the future there will be no need for a center for athletes rights and education, and no need for a subcommittee hearing on the subject.

Thank you very much.

[The prepared statement of Ms. Villarosa follows:]

Linda Villarosa
Director
Center for Athletes Rights and Education
834 E. 156th St.
Bronx, NY 10455
(212)665-6812

Robert Williams
Governing Officer
Sports Foundation Inc.
518 Willis Avenue
Bronx, NY 10455
(212)665-9585

June 26, 1984

As a young boy growing up in the Bronx, Ronnie Ryan dreamed of becoming a professional basketball player. Sitting in a roomful of basketball trophies, Ronnie would watch games on television and imagine himself achieving the fame and glory of a professional player. He spent many hours practicing his skill and by his senior year at Columbus high school, he was a varsity starter averaging 15 points and 11 rebounds a game and a letter a week from colleges and universities across the country.

After high school graduation, Ronnie spent a fruitful year at Southwestern Junior College in Oklahoma City and then decided to transfer to a four-year institution after accumulating 48 credit hours at a school closer to home and sitting out a year of play. In 1982 he chose Marist College, a division I college in Poughkeepsie, NY. During his first year at Marist, Ronnie played sixth man off the bench and led the team in field goal percentage, was second in blocked shots and third in scoring. With three seniors graduating, he was being groomed to join the starting five the following year.

According to Ronnie he began to have trouble with his coach, Ron Petro, during the fall of 1983. At one point Ronnie missed practice due to illness and was punished the next day even though he had a written excuse from the school's medical clinic. Another time Petro informed Ronnie that although he would hold a starting position during the first half of the season, he might lose that position during the second half because he claimed to be pressured by the alumni to place a white player into the line-up.

Ultimately Ronnie left the team near the end of the semester after he suffered what was diagnosed as a severe back strain. Although he could have chosen to wait for his injury to heal and then continue to play, he quit the team permanently after Petro refused to pay medical bills for the injury which occurred during an official team practice. Because he left the team voluntarily, according to NCAA rules, he was rendered ineligible to continue to receive athletic grant-in-aid. His mother paid for his medical bills but was unable to afford Marist's nearly $7,000-a-year costs, so Ronnie returned home with little more than bitter memories and an unfinished degree.

Like Ronnie, many young competitors attend college on athletic grants-in-aid in the hopes of using their sports skills to gain an education. All too frequently, however, they leave their communities as assets but return home empty-handed as liabilities either because they were injured or could not adjust to the athletic and academic pressures of being an intercollegiate athlete. After talking with scores of Ronnie Ryans, our organizations, the Center for Athletes Rights and Education and the Sports Foundation, came together to uncover just how widespread the problem was. In a survey of seven conferences, we found that nearly half of all senior basketball players did not graduate.

And too many of these young student-athletes are black; in fact, 75 percent of all black college athletes do not graduate, while the rate for all athletes is estimated at a little over 50 percent. Although some 58 percent of all students leave college before graduating, athletes represent special cases. In many cases they are actively sought out, brought in and carried through the university system, and then dropped after eligibility has expired and they are no longer useful for attracting gate receipts and TV contracts but before they have been able to accumulate enough credits to earn degrees.

But our role is not to villify and complain about colleges and universities. but instead we are trying to teach our youngsters how the intercollegiate athletic system functions. We created the Athletes and Parents Counseling Program in 1982, and have presented workshops on college sports to student-athletes in the 19 high schools in the Bronx. A team of five speakers, including former New York Knickerbocker Dean "the Dream" Meminger, discusses recruiting, financial aid, Title IX, Proposition 48, careers and professional sports and also gives each student-athlete an information packet to share with his or her parents. This written material includes a checklist featuring valuable questions that a potential recruit should ask a representative of a college when he or she comes to call. One question, for example, asks whether the university will pay for the remainder of a student-athlete's education in the event of injury or after athletic eligibility is exhausted. We encourage potential recruits to go over the questions with recruiters and then ask them to sign the forms as an informal safeguard against problems that might occur later.

The most important message of both the written materials and the spoken presentation is that a student-athlete can exchange athletic talent for a college education but the exchange is equitable only if he or she attends classes and obtains a degree. We encourage our mainly college-bound audience to take responsibility for their academic futures because colleges generally do not do so, and we warn them not to forsake their educations by sinking their energies into the unrealistic dream of a pro career.

We caution them, too, that being a student-athlete in college is difficult: Working in the classroom and working out on the field or court is stressful, time-consuming and exhausting. In a study conducted at the University of Wisconsin, researchers found that out of 105 waking hours per week, freshman basketball players had nearly every minute occupied attempting to juggle practice, travel, games, studying and attending classes. Preliminary findings of a recent C.A.R.E. study show that the pressure of being a student-athlete takes a heavy toll on young men and women. A survey of 500 male and female basketball players in all divisions indicates that significant numbers take easy classes, choose less demanding majors, have others write term papers, cut classes, miss exams and feel that athletic demands prevent them from being top students.

Along with the workshops, we also offer one-to-one counseling with student-athletes and their parents. We help them sift through different colleges, fill-out forms, contact schools and match their athletic and academic skills with suitable colleges. Although we run the program on a tiny budget, our service is free in New York City where only one high school guidance counselor is available to every 770 students.

In the future we will expand our program beyong the Bronx to cover the rest of the boroughs and eventually the state as a whole. Someday we hope that this prototype or a similar program will be adopted nationwide.

Senator **Stafford**. Thank you very much, Ms. Villarosa.

Senator **Metzenbaum**. Are you a part of the New York school system, Ms. Villarosa?

Ms. **Villarosa**. We are not part of it; they do not pay us. We are paid out of a grant which comes from the Hazen Foundation in New Haven, CT. But we do have a working relationship with the school system.

In other words, in order to do these workshops we have to have the endorsement of the chancellor and endorsement of the principals and all the administrators.

Senator **Metzenbaum**. But you are funded by a private foundation?

Ms. **Villarosa**. Funded privately.

Senator **Metzenbaum**. Thank you.

Senator **Stafford**. Dr. Foote, we would be pleased to hear from you.

Dr. **Foote**. Senator Stafford, Senator Metzenbaum, I see we are running out of time. I have prepared a brief statement which is part of the record, and I will summarize, as requested.

Senator **Stafford**. We will place your whole statement in the record.

Dr. **Foote**. Thank you, sir.

I should put my remarks in this brief personal context. I have been president of the University of Miami for only 3 years; so I do not bring you the depth of experience that some of the people who have already testified do.

But they have been a full and lively 3 years, both on the academic side of our fascinating, young university, and on the athletic side. Ironically enough, during my first year the baseball team won the national championship, the same year that the University of Miami was inducted into Phi Beta Kappa, the oldest and most prestigious academic honor society in the United States.

This past year, as you may have noticed, on January 2 the University of Miami Hurricanes won the football national championship, and a month ago the women's golf team won the NCAA national championship.

So I have been deeply involved in intercollegiate athletics as the president, and proud of our teams. That is the good news. The bad news is that I have seen the big-time system of intercollegiate athletics now up close with a fine university which has had its share of problems. We have not been blameless.

I have seen some of the good and some of the bad that has been testified about already here this morning. To summarize several pages of what I have written, I would agree with the general point that has been made by earlier witnesses that the system itself is in a serious state of disrepair in the sense that the values are skewed and the messages to and pressures on student athletes are the wrong messages and the wrong pressures, in many cases.

Now, I think it is also fair to say that as the problems have increased in size and intensity in recent years, concern about those problems has increased commensurately.

Mr. Toner has testified, I think, very accurately and compellingly about what has happened in the NCAA. I have been watching the NCAA as a college president, and I believe that many, many able people—educators, teachers, college presidents, coaches, and athletic directors—are deeply concerned about this problem.

Let me answer your three questions very briefly. First of all, speaking for the University of Miami, are college athletes awarded inappropriate grades to help them pass? My own experience is, to the best of my knowledge, that that is not the widespread problem that has been suggested.

I have no doubt that it happens occasionally, but both at the University of Miami and other major universities, I simply do not believe that that happens as much as is sometimes reported, and the reason is simple.

The reason is that grades are given by faculties, and faculties' principal allegiance is to teaching and to scholarship, not to athletics. So you have a built-in safeguard against widespread, wholesale abuse of that kind, although I am sure there are isolated examples.

Second, do athletes have a hard time graduating in 4 years? The answer is "Yes." Particularly in the major sports of football and basketball; 5 years is more likely the norm, when they graduate at all; and this problem, as mentioned by previous witnesses.

Third, to what extent do we cut off athletic scholarships? Our practice is the same as that described by Coach Smith. We do not cut off scholarship athletes if athletes become incapacitated. We treat them like other students on scholarship, and we continue their financial aid.

I think, frankly, we have overcomplicated this problem and we have overcomplicated the solution. The solution, as has been suggested by many, is to go back to the days when we treated student athletes as students first and foremost; put our money where our mouth is; put the responsibility squarely on the shoulders of college presidents, who I think will accept it; I think we are accepting it; require that students be students, first and foremost, because we represent academic institutions, and athletes secondarily, and enforce that.

The recent rules that have been adopted by the NCAA have helped. We now basically require that they be full-time students in regular programs leading to a degree, in good academic standing. That means at least with a minimally passing academic average. And if they do not, student atheletes will not be playing.

Two years ago the American Council on Education, the largest overarching body governing higher education, became concerned enough about this problem that it formed its own committee of college presidents.

I was a founding member of that committee, and I am privileged to speak this morning in general terms for them as well as for me and the University of Miami. That committee has now worked for 2 years. Chaired by Derek Bok, the president of Harvard, it includes representatives of public and private universities across the United States. Every division is represented—independents, and so forth.

That committee, working with the NCAA and other groups that are concerned, is making progress. The problem is real. I think the system has to be watched very, very carefully, or it can very easily distort the educational values that are the fundamental concern of this committee and of everybody at this table.

But I do think that you should be aware, Senator Stafford and Senator Metzenbaum, that although these are horror stories, and there have been some gross abuses, there is also happening in the United States and the world of higher education the quickening of a healthy trend, which is to return the education of student athletes to the faculties; to put the responsibility where it belongs, on the academic side of the university and the college presidents.

We are prepared to continue assuming that responsibility. I believe, for example, that the elimination of freshman eligibility, as suggested by Coach Smith, would be a significant step forward. That is controversial and not everybody agrees with me. I believe we will find a lasting, systemic solution in higher education, and I respectfully do not agree, gentlemen, that this is a matter for Federal legislation.

I appreciate the opportunity to testify before you today.

[The prepared statement of Dr. Foote follows:]

SENATE SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES
Statement

By Edward T. Foote II
President, University of Miami
June 26, 1984

Members of the Senate, I am grateful for this opportunity to testify on the important subject of an appropriate balance between intercollegiate athletics and academics, especially as student-athletes may be affected. Thank you for the invitation. I appear as an educator on behalf of the University of Miami, but also as a member and representative of an ad hoc Committee of (36) College Presidents, sponsored by the American Council on Education, that has been addressing the subject for nearly two years.

In summary, my message is threefold: first, the American system of big-time intercollegiate athletic competition can and sometimes does distort important educational principles to the detriment of the nation's colleges, universities and students; second, the threat can be resisted successfully by fidelity to those principles, and the world of higher education is stiffening that resistance; third, with all due respect, the forum for addressing and resolving the problem is not the Congress of the United States.

So that you may understand these observations, I should put them briefly in this personal context. Having been President of the University of Miami for only three years, I do not bring you the depth of experience some of your other distinguished witnesses do. Those years for me and the University of Miami have been lively, though, including a full measure of fascinating challenges arising throughout our 13 colleges and schools.

Coincidentally, my first three years as a college president included also an unusual concentration of intercollegiate athletic excitement, some good, some bad. As I arrived in 1981, the NCAA found our football program guilty of some relatively minor, but nevertheless real, violations of the recruiting rules during the late 1970s; our football program spent two years on probation.

That same academic year, if you will forgive the immodesty, our baseball team won the National Championship; this year, our football team won the National Championship by defeating the University of Nebraska Cornhuskers in the Fiftieth Orange Bowl Classic in what is widely regarded as one of the great games of all time. Our Women's Golf Team won the National Championship a month ago.

These great performances by our student-athletes have highlighted the ironies of American intercollegiate competition in the 1980s, because they came at a time of rapidly increasing academic strength at the University of Miami. Even as our baseball team was winning the National Championship, Phi Beta Kappa, the nation's oldest and most prestigious honor society, was establishing a chapter at our university. That same year, the National Science Foundation ranked us 37th in the amount of research dollars generated.

These parallel developments in the libraries, classrooms and laboratories, and on the playing fields, have made us think a lot about the proper balance between athletics and academics, and the balance is not easy to strike.

The pressures to win are great. They increase more with winning, and even faster with losing. Winning creates excitement, not only in an athletic program but throughout a university. Students like it. Alumni like it. The conventional wisdom is that a winning athletic program generates spinoff benefits, from donations to more freshman applicants.

This is hardly startling news. Winning is no more fun than it was a generation ago. But in recent years, there has been a growing perception throughout higher education that something significant was changing in the equation of major, intercollegiate athletics. It was a dangerous change. If winning wasn't more fun, it was getting much more important to a lot of people. It is not a change of kind, but of intensity and magnitude.

My own view is that the principal reason for the change is television, and especially the money it generates.

During the past generation, as television has woven itself so tightly into the fabric of American life, perhaps no undertakings have been more dramatically affected than athletics, professional and amateur. The money television generates for the successful is immense. The going rate now for a football team's appearance on national television is $675,000, and for a regionally televised game, $350,000. The Orange Bowl paid the University of Miami and the University of Nebraska each $1,800,000 just for showing up. In addition, the University of Miami Football Hurricanes generated

$1,094,910 in television income during the fiscal year that ended June 1st. The instant celebrity of athletic stars, made possible by television, translates into cash almost as fast.

Money is not the only temptation presented by television. Amateur athletics are ideal fare for television's capacity to magnify and dramatize. The most mundane sporting event takes on excitement when properly narrated, packaged and hyped. Naturally exciting sports such as football and basketball assume an unnatural magic far larger than mere life itself.

Your concern that the pressures generated can be harmful to the student-athlete is well placed. You have posed the following three questions, which, on behalf of the University of Miami, I have answered:

1. First, to what extent are outstanding student-athletes "awarded" inappropriate passing grades in order to maintain eligibility?

   To the best of my knowledge, this practice simply does not exist at the University of Miami, or for that matter, at other universities. Grades are given by faculty members. Faculty members may be interested in athletics, but their fundamental professional allegiance is to teaching and research, providing a built-in safeguard against such gross abuses of professional responsibility.

2. Second, given the demands of most large-scale athletic programs, what problems do student-athletes face in accumulating enough credits to graduate in four years?

   There are indeed significant obstacles for many student-athletes to graduating in four years. This is true at the University of Miami and elsewhere. The problems can be summarized briefly as the diversions of time and energy away from academic pursuits. The football player in a big-time program will spend as many as 30-40 hours a week during the fall semester on football. Graduation in five years, not four, for those who graduate is the norm for many football programs. The practice of "redshirting" freshmen encourages five years of study. In other sports, a four year college career is more typical.

3. And third, to what extent do athletic scholarship programs respond to the educational needs of student-athletes no longer able to participate, for any number of reasons, in college athletic programs?

   Our practice is to continue a student-athlete "no longer able to participate" on scholarship assistance on the same conditions as apply to other scholarship students. I am informed that this practice is now common at most universities.

There are a host of other questions you could have posed. Frankly, the problem is rarely a faculty member willing to prostitute professional obligations by changing an athlete's grade. It is more typically a laxity of definition, attention and enforcement concerning less obvious characteristics of being a real student.

The temptation is to admit athletes whose high school grades and SAT scores predict a low probability of academic success. Athletes may be steered to the easiest courses, allowed to skate around the curriculum whether or not the journey leads in a regular program toward a degree. They may be allowed to compete even though their grades place them on academic probation.

In many ways, the reality of the problem is as complicated as universities themselves are complicated. On the other hand, the solution, at least in concept, remains very simple indeed. The solution is to treat athletes like any other students. They should be held to the same academic standards, required to pass the same examinations, make satisfactory progress toward a degree in a regular academic program and meet the usual requirements for graduation.

In a sense, we have over-complicated the obvious. Dwelling endlessly on recruiting rules and a maze of technicalities, we sometimes miss the larger issue, the student himself and what he needs in order to obtain an education. If we in fact treat student-athletes as we treat all students, letting the consequences of academic decisions made by the faculty fall where they may, we solve most of the problem. At our university and many others, if athletes do not make their grades in real courses leading to a degree, as established by the faculty, they do not play. Their athletic eligibility is certified by the chief academic officer.

I am pleased to report that progress is being made and more is soon to be expected. The NCAA does consider these issues and always has. Recently, many college presidents have become directly concerned and involved. Last summer after a three-day meeting and more than a year's work, the ACE ad hoc College Presidents' Committee proposed for adoption by the NCAA the following amended rule requiring that "satisfactory progress" toward a degree be made by student-athletes before they could compete. I quote it in full to give the Senate some sense of the precision involved in defining and solving the problem.

NO. 25 SATISFACTORY PROGRESS

A. Bylaws: Amend Article 5, Section 1-(j)-(6)-(ii), page 81, as follows:

[Divided bylaw, Divisions I and II, divided vote]

"(ii) Eligibility for regular-season competition subsequent to the student-athlete's first academic year in residence or after the student-athlete has utilized one season of eligibility in a sport shall be based upon: (1) satisfactory completion prior to each term in which a season of competition begins of an accumulative total of semester or quarter hours of academic credit acceptable toward a baccalaureate degree in a designated program of studies at the institution which is equivalent to the completion of an average of at least 12 semester or quarter hours during each of the previous academic terms in academic years in which the student-athlete has been enrolled in a term or terms, or (2) satisfactory completion of 24 semester or 36 quarter hours of acceptable degree credit, acceptable toward a baccalaureate degree in a designated program of studies at the institution, since the beginning of the student-athlete's last season of competition. For purposes of this provision, a student-athlete shall meet the 'satisfactory completion' requirement by maintaining a grade-point average that places the student-athlete in good academic standing (i.e., not on academic probation) as established by the institution for all students who are at an equivalent stage of progress toward a degree."

B. Bylaws: Amend Article 5, Section 1-(j)-(6), pages 80-82, by adding new subparagraphs (iv) and (v), renumbering subsequent subparagraphs, as follows:

[Divided bylaw, Divisions I and II, divided vote]

"(iv) Certifying institutions shall submit annual reports to the NCAA Academic Testing and Requirements Committee documenting that each student-athlete has satisfied the requirements set forth

> in the provisions of this regulation. These reports shall be completed by the institution's chief executive officer or by a senior academic official designated by the chief executive officer. The individual submitting the reports shall certify that he or she personally has reviewed the academic records of the institution's student-athletes and shall state whether each student-athlete is in good academic standing and enrolled in a specific baccalaureate degree program, and whether each student-athlete has satisfied the quantitative hour requirements necessary to show satisfactory academic progress. The individual also shall state any other information that is necessary to demonstrate full compliance with the provisions of this regulation."
>
> "(v) The NCAA shall be empowered, on a spot-check basis, to require Division I and Division II member institutions to supply transcripts and other relevant materials, in confidence, to verify compliance with the provisions of this regulation and to enable the NCAA national office to assist member institutions in understanding how to achieve full compliance."

After debate on the NCAA convention floor, the proposal was modified somewhat but substantially adopted. It is now clear that a student-athlete must be "in good academic standing" in order to compete. In other words, he must be a student. For many universities, including the University of Miami, this will change nothing. At the least, the change will remove ambiguity. It will clarify responsibility and simplify enforcement. At the 1983 NCAA Convention, tougher entrance requirements for student athletes were adopted. Other proposals, such as freshman ineligibility to participate on varsity teams, are under active consideration by various groups.

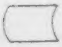
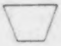
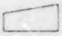
Elimination of freshman eligibility for varsity competition alone would do much to solve the problem. Most educators agree that the freshman year of college for any student, whether an athlete or not, is a time of important social transition and academic acculturation.

The extraordinary demands of varsity competition in such major sports as football and basketball during the first few months of a student's collegiate career make this transition extremely difficult for many. There are counter-arguments, but the point is that educators are seriously debating what is best for students who are also athletes.

The ACE ad hoc Presidents' Committee remains in existence, and there is now a Commission of College Presidents formally part of the NCAA governance structure, another result of last January's NCAA Convention. Many special committees are sorting through various recommendations. As never before, those at universities responsible for the academic side of our work are directly involved in athletic decisions. The point is not that we have all the answers, but rather that there is renewed effort to find them on the part of those who should be seeking the answers to the right questions, especially those concerning the welfare of students.

As much as I applaud your interest in this important subject, I urge you not to consider legislation directly involving the Federal Government in the governance of intercollegiate athletics. Our own apparatus is unwieldy enough. The problem is real, but it is ours. We must solve it within the world of education or it will not be solved. This is because no solution will be found in any one set of laws or regulations imposed from afar, no matter how tough or well motivated. The only lasting solution must be continuing attention by educators to the needs of students.

24.

The flowcharting symbols above are ordered from left to right in which of the following sequences?

a. Manual operation, Manual input, Core, Online storage.

b. Online storage, Manual operation, Manual input, Core.

c. Manual input, Manual operation, Core, Online storage.

d. Core, Manual operation, Online storage, Manual input.

Questions 25 through 31 are based on the following information.

Stayton Company is designing a new payroll system. System and program flowcharts using standard flowcharting symbols will be prepared in the process of designing and developing the new system.

25. The symbol which would be employed to determine if an employee's wages are above or below the maximum limit for FICA taxes is

a.

b.

c.

d.

e.

26. The symbol which would be employed to represent the printing of the employees' paychecks by the computer is

a.

b.

c.

d.

e.

27. The symbol which would be employed to represent the employees' checks which have been printed by the computer is

a.

b.

c.

d.

e.

28. The symbol which would be used to represent the physical act of collecting employees' time cards for processing is

a.

b.

c.

d.

e.

29. The symbol which would be used to represent the employees' payroll records which are stored on magnetic tape is

a.

b.

c.

d.

e.

30. The symbol which would be used to represent the weekly payroll register which is generated by the computer is

a.

b.

c.

d.

e.

Senator **Stafford**. Thank you very much, Dr. Foote, for an excellent statement.

Now, Dr. Edwards, we would be pleased to hear from you.

Dr. **Edwards**. Senator Stafford, Senator Metzenbaum, let me say from the outset that I could not be more supportive of your proposals. With all due respect to present company and, of course, to Mr. Derek Bok, president of Harvard University; John Thompson, coach of Georgetown; Bobby Knight, and a number of other people whom I know very well who are very much involved with the effort to correct the problems that we are concerned about here and who are very committed to academic integrity in intercollegiate sports, I must nonetheless state that with the NCAA as a collective body, we essentially have a case of Dracula being in charge of the blood bank.

The NCAA is college presidents and chancellors and their surrogates. Money is at the core of the problem, and I am convinced that tying Federal funding to requirements for academic integrity in intercollegiate athletics would generate serious efforts to ensure academic integrity on the part of the NCAA as a collective body, not just by single individuals such as Derek Bock and a few others who are proposing very courageous and very pointed legislation in the NCAA to deal with some of these problems—NCAA legistative proposals which are voted down in far too many instances by that collective body. I am convinced that tying Federal money to such progress would significantly reverse this tendency.

This is a problem area that I have been actively concerned about for the better part of 20 years—since my own days as an undergraduate scholarship athlete at San Jose State, and I appreciate this opportunity to speak before this hearing.

Regardless of the outcome of these hearings relative to pursuing implementation of Federal legislation, a contribution has been made simply by virtue of the fact that the situation is being brought to the attention of the U.S. Senate.

I have submitted two articles to one of Senator Metzenbaum's assistants that spell out in more detail my concerns and proposals relative to solutions, including an athletes bill of rights which encompasses your proposals and others such as the elimination of freshman eligibility.

That bill of rights was proposed first about 6 years ago; it is, then, relatively old. Unfortunately, it is also still quite relevant because there has been so littie improvement in athletes circumstances, and I urge that you include those materials as part of my written testimony.

We must understand from the outset that dumb jocks are not born; they are being systematically created and institutionally accommodated in this society. Most of the attention relative to this problem has been focused upon National Collegiate Athletic Association division I football and basketball programs.

Why NCAA division I rather than division II or III? The answer is quite simple and it can be reduced to one word—money. Today, collegiate sports programs consume more than $800 million each year, a disproportionate amount of which is generated by football and basketball.

In addition, millions of dollars more are generated for sports promoters, amateur sports governing organizations, broadcast networks, advertisers and other commercial interests, legal and illegal gambling, and for universities themselves from broadcast and gate receipts, as well as from sports—motivated alumni philanthropy and legislative generosity in complying with university budgets put forth by successful athletic powers in this country.

In short, NCAA division I football and basketball are big business. We also must understand that it is not simply the institutions themselves that benefit. Usually, head football and basketball coaches in division I colleges and universities, who typically have no Ph.D.s or academic responsibilities of a traditional sort, are among the highest paid college and university personnel in the United States.

With such riches at stake, division I colleges and universities have developed athletic programs with multimillion-dollar budgets and millions more invested in facilities and equipment.

If the competition for such rewards has not totally obliterated the traditionally-ballyhooed collegiate sports ideals of educational development and building character, it has certainly relegated these concerns to a secondary, if not wholly irrelevant status.

Today, indications are that the quest more than ever is not so much to provide educational opportunities or to build character as to win, even if it means that in the process the young men generating the sports prestige and the millions in wealth are being systematically, even if unwittingly, taught to lie, scheme, and cheat, all toward the end of winning games, while no less systematically being condemned to the role of losers in life due to academic underdevelopment.

But the problem does not start on the college campus. Parents too often put an inordinate emphasis upon their children's athletic development. They then sit idly by while these young people are socially promoted through secondary schools because of their athletic prowess.

An exaggerated emphasis upon sports during the early school years, and often in the family, leads to a situation where, by the time many student-athletes finish their junior high school sports eligibility and move on to high school, so little has been demanded of them academically that no one any longer even expects anything of them intellectually.

At the high school level, the already unconscionable emphasis upon athletic development is institutionally abetted by policies which make athletic participation conditional upon minimal standards or, more typically, no standards of academic performance at all.

As late as the winter of 1984, it was still the case that only a handful—about 40 of this Nation's 16,000-plus high school districts—had set minimum standards for sports participation, and only 90 percent of the high school athletes who would be affected in 1986 by NCAA "Rule 48" had never even heard of the rule.

Of those high schools schools which had set some academic standards for sports participation, most required only that the student-athlete maintain a 2.0, or C average, or that a student-athlete's grade card show no more than one failing grade in an academic year.

The problem with these standards, of course, is that they have a way of becoming maximum goals. Student-athletes typically strive to achieve exactly and precisely those standards set for athletic eligibility—nothing more and nothing less.

At the end of all of this, parents too frequently peddle their children to the highest bidders among collegiate athletic recruiters, while traditionally getting very little or nothing in return either for themselves or for their young people.

Only 5 percent of America's high school athletes will ever participate in their sports at the collegiate level. At the college level, a systematic rip-off then begins with the granting of a 4-year athletic scholarship, technically given 1 year at a time under existing NCAA rules.

This means that though the athlete is committed to the school for 4 years, the school is committed to the athlete for only one. Strictly speaking, each year that athlete is under pressure of having to earn that scholarship anew, and nowhere in the NCAA's 335-page rule book is there any definitive stipulation of the conditions under which an athlete's scholarship may be taken away.

Indeed, coaches in this country routinely drop athletes from the scholarship rolls with a change in coaching—a not insignificant fact given that there was a 90-percent turnover in division I football coaches alone between 1970 and 1980.

Another problem with the 4-year scholarship is that more often than not it takes the average nonstudent-athlete at a major division I campus a minimum of 4½ to 5 years to complete a 4-year degree.

Even special provision for a fifth year of support for the athlete at the athletic director's or coach's discretion—support which few student-athletes actually receive—does little to alter this situation for very many student-athletes because so many division I football and basketball players severely are deficient in required academic courses or in units at the completion of their collegiate athletic eligibility.

Part of the problem is, of course, that many of these athletes arrive on campus ill-prepared. This initial handicap is exacerbated by the requirements of big-time collegiate football and basketball—35 to 40 hours a week preparing for participating in, and recovering from basketball during the season, and 45 to 49 hours a week, on the average, in football at the division I level.

The time obligations for basketball and football on division I campuses rises to 50 and 60 hours, respectively, if travel requirements are considered, during the season. Collegiate football and basketball players must also adjust not only to playing in pain, but to living day in and day out with pain, as well as in a constant state of fatigue.

Neither condition is very conducive to the development of study habits, nor requisite levels of mental concentration demanded of students competing in classrooms on this Nation's major university campuses.

Under existing conditions of medical service and surveillance in intercollegiate sports, this situation seems unlikely to change in the near future; that is, in today's highly competitive collegiate sports enterprise, the line can often be intentionally or unwittingly blurred between playing with pain or playing with an injury or even a significant or life-threatening illness.

Within the last academic year, I have been contacted by athletes who felt pressured to play with varying medical debilities or lose their athletic grants-in-aid. Two cases stand out.

In one instance, an athlete and his parents came to me concerning a basketball coach who apparently insisted that the young man play, though he had not fully recovered from two dislocated shoulders.

In another instance, I was contacted by an attorney representing a young football player by the name of Marty Finis. Finis complained to his team physician at the University of Illinois about a lump on his neck in October, only to be told that it was nothing of consequence. His coach, Mike White, was on record publicly as stating that "successful people do not get sick."

Near the end of the season, that same lump was diagnosed as malignant cancer. This case and others have convinced me that the next big scandal in collegiate sports will revolve around the quality of medical care delivered in collegiate athletic programs.

[Senator Metzenbaum assumed the chair.]

Dr. EDWARDS. In the last 8 years, only one medical school in this country at the University of Wisconsin has required M.D.s to complete a course in sports medicine. A major problem here is that team physicians are paid by athletic departments. Also, many institutions either prohibit or make it extraordinarily difficult, for a student-athlete to obtain a second medical opinion on an injury or illness. And even when second medical opinions are permitted, the team physician's opinion prevails—not by credibility or medical convention, but by athletic department rule.

Of course, the great and, in many cases, the overriding goal that motivates most of these young collegiate athletes is the dream of signing a professional contract and establishing a long and lucrative professional sports career.

Due largely to ignorance and deliberate manipulation by the parts establishment few athletes seem able intellectually and behaviorally to come to grips with the implications of the fact that less than 2 percent of the basketball and football players in college ever play their sports at a professional level, and 60 percent of those who do become professionals are out of professional sports within 3 to 4 years and on the try-out camp circuit or, more tragically, on the street.

As was mentioned, 70 to 80 percent of professional football players have no degree; less than 25 percent of professional basketball players have a degree. Curtailing this unconscionable waste of some of our most gifted, aspirant and competitive young people will be neither easy or quick. It will take a thorough understanding of the complex personal and institutional forces that have created and which perpetuate this situation, and it will take will and wisdom among our political leaders, educators, sports officials, parents, and student athletes themselves to implement the steps necessary to correct and neutralize the negative impact of these forces.

It does little good to quote statistics which have no demonstrable validity. The study quoted by President Toner at these hearings is a case in point. I have been trying to get access to the raw data and the methodological design for that study over the better part of the last 2 years.

Those statistics are meaningless.The only consensus about them is that they correspond to no known and accepted study or established facts relative to what is happening with athletes in the professional ranks in terms of degree completion.

Through happenstance and, paradoxically, despite what are often the best and most laudable of intentions, we have, in effect, created what can only be termed a collegiate athletic arms race, wherein young scholarship athletes are the most strategic material and disproportionately numbered among the casualties.

But what we have created, I am convinced, we can recreate in a more humane, ethical, and productive guise. The task must be undertaken in the home, in the secondary schools, and most importantly on the college campuses. I sincerely hope that these hearings will constitute another step toward that goal.

Thank you.

Senator METZENBAUM. Thank you very much, Doctor.

[The prepared statement of Dr. Edwards follows:]

Harry Edwards, Ph.D.
University of California, Berkeley

STATEMENT TO THE U.S. SENATE ON EDUCATION

June 26, 1984

For as long as organized sports participation has been associated with American education, the traditionally somewhat comic, not altogether unappealing "dumb jock" image of the student-athlete has endured. Though over the years, there have been some notable efforts by journalists, academicians, and sports activists to expose the desperately serious realities masked by this caricature, only recently has American society been jolted into recognizing the extensive and tragic implications of widespread educational mediocrity and failure among student-athletes, and--no less importantly--that *"dumb jocks" are not born; they are being systematically created* and institutionally accommodated.

Most of the attention relative to this problem has been focused upon National Collegiate Athletic Association (NCAA) division I football and basketball programs. Why NCAA division I rather than division II or division III programs? Why football and basketball rather than, say, water polo, fencing, badmington, archery, or field hockey? The answer to both questions boils down--as it long has--to a single word: M-O-N-E-Y.

Today, collegiate sports programs consume more than half-a-billion dollars each year, a disproportionate amount of which is generated by football and basketball. In addition, millions of dollars more are generated for sports promoters, amateur sports governing organizations, broadcast networks, advertisers and other commercial interests, legal and illegal gambling, and for universities themselves from broadcast and gate receipts as well as from sports-motivated alumni philanthropy and legislative generosity in complying with university budget requests. In short, NCAA division I football and basketball are big business.

In 1983, sixteen post-season NCAA division I football bowl games paid approximately 35 million dollars to the schools and conferences involved. And by way of illustrating how rapidly the monetary rewards for such post-season play have escalated, consider the Fiesta Bowl. The Fiesta Bowl paid two teams and their conferences 380,000 dollars in 1981, disbursed 687,000 dollars in 1982, and paid 867,000 dollars to Fiesta Bowl participants at the end of the 1983 season.

Also by way of comparison, in 1959 when the University of California at Berkeley won the NCAA division I basketball tournament championship, it took home 17,500 dollars as its share of the tournament purse. The 1982 NCAA division I basketball tournament at New Orleans, on the other hand, generated 16 million dollars in television broadcast receipts with each of the "final four" schools vying for the championship receiving 600,000 dollars on top of their regular season's gate and broadcast receipts. In 1983, the NCAA expanded its tournament roster to fifty-two teams with each of the fifty-two guaranteed 120,000 dollars for merely participating in the tournament, 290,000 dollars for each team making the "sweet sixteen", and 520,000 dollars for each team surviving to be among the "final four". One university which did not even make it to the final four calculated its receipts from basketball--from the efforts of thirteen 17-22 year-old amateur student-athletes--to be 2.6 million dollars.

With such riches at stake, division I colleges and universities have developed athletic programs with multi-million dollar budgets and millions more invested in facilities and equipment.

But it has not been just institutions that have stood to reap the rewards of big time football or basketball preeminence.

Today, head football and basketball coaches at division I colleges and universities--usually without Ph.D.'s or academic responsibilities of a traditional sort--are, as a group, the highest paid college and university personnel in the United States. Further, successful head coaches are today rewarded with fast food franchises, stocks, bonds, homes, automobiles, country club memberships, income producing television and radio shows, highly lucrative product endorsements, lecture and sports clinic opportunities and other special amenities. In addition, by contractual agreement with the universities they work for, coaches often times receive a percentage of their institutions' share of bowl and tournament receipts--usually around 10 percent for winning and 5-8 percent in the wake of losing efforts.

If the competition for such rewards has not obliterated such traditionally ballyhooed collegiate sports ideals as educational development and building character, it has certainly relegated these concerns to a secondary, if not wholly irrelevant, status. Today indications are that the quest more than ever is not so much to provide educational opportunities or to build character as to win--even if it means that in the process the young men generating the sports prestige and millions in wealth are being systematically, though unwittingly, taught to lie, scheme and cheat toward the end of winning games while no less systematically being condemned to the role of losers in life due to academic underdevelopment.

But the problem does not start on the college campus. An exaggerated emphasis upon sports during the early school years and often in the family, leads to a situation wherein by the time many student-athletes finish their junior high school sports eligibility and move on to high school, so little has been demanded of them academically that no one any longer even expects anything of them intellectually.

At the high school level, the already unconscionable emphasis upon athletic development is institutionally abetted by policies which make athletic participation conditional upon minimum standards or, more typically, no standards of academic performance. As late as the Winter of 1984, it was still the case that only a handful--about forty of the nation's 16,000 plus high school districts--had set minimum academic standards for sports participation. And of those which had such standards, most required only that the student-athlete maintain a 2.0, or "C" average, or that a student-athlete's grade card show no more than one failing grade in an academic year. The problem with these minimum standards, of course, is that they have a way of becoming maximum goals. Student-athletes typically strive to achieve precisely the standards set--nothing more nothing less.

Only 5 percent of America's high school athletes ever participate in their sports at the collegiate level. Thus the lack of serious academic standards, seriously enforced as a condition of high school sports participation impacts immediately upon that 95% of former high school athletes who must rely substantially upon their academic skills and records to gain college admission or who must face the realities of life after sports in the American job market--sadly and far too frequently with no marketable skills or skills training potential.

At the collegiate level, a systematic rip-off begins with the granting of a four-year "athletic scholarship", technically given one year at a time under existing NCAA rules. This means that though the athlete is committed to the school for four years, the school is committed to the athlete for only *one*. Strictly speaking, each year the athlete is under the pressure of having to earn the scholarship anew. And nowhere in the NCAA rule book is there any definitive stipulation of the conditions under which an athlete's scholarship may be taken away.

Another problem with the four-year scholarship is that, more often than not, it takes the average non-athlete student on a major division I college campus a minimum of four-and-a-half to five years to complete a four year degree. Even special provision for a fifth year of support for the athlete at the athletic director's or coach's discretion--support which few student-athletes actually receive--does little to alter this situation for very many student-athletes' because so many division I foootball or basketball players are deficient in required academic courses and/or units at the completion of the collegiate athletic eligibility.

Part of the problem here is, of course, that many of these athletes arrive on the college campus ill-prepared to successfully matriculate in a degree granting program. This initial handicap is exacerbated by the time requirements of big-time collegiate basketball and football--35-40 hours a week preparing for, participating in, and recovering from basketball during the season and 45-45 hours for football. The time obligations for basketball and football players on the division I campus rise to 50 and 60 hours respectively if travel requirements are considered.

Collegiate football and basketball players also must adjust not only to playing with pain but to living day in and day out with pain as well as in a constant state of fatigue. Neither condition is very conducive to development of study habits nor requisite levels of mental concentration demanded of students competing in the classrooms of this nation's major universities.

Under existing conditions of medical service and surveillance in intercollegiate sports, this situation seems unlikely to change in the near future. That is, in today's highly competitive collegiate sports enterprise, the line can often be intentionally or unwittingly blurred between playing with pain and playing with an injury or even a significant and life threatening illness. Within the last year alone, I have been contacted by athletes who felt pressured to play with varying medical debilities or lose their athletic grants-in-aid. In one instance, an athlete and his parents contacted me concerning a basketball coach who insisted that the young man play, though he had not fully recovered from two dislocated shoulders. In another instance, I was contacted by attorneys representing a young man who complained to his team physician about a lump on his neck in October only to be told that it was nothing of consequence. Near the end of the season, that same lump was diagnosed as cancerous. This case is now in court.

A major problem here is that team physicians are paid by athletic departments. Also, many institutions either prohibit or make it extraordinarily difficult for a student-athlete to obtain a second medical opinion on an injury or illness and even when second medical opinions are permitted, the team physician's opinion prevails--not by credibility or medical convention but by athletic department rule.

Of course, the great, and in many cases, the over-riding goal that motivates most of these young collegiate athletes is the dream of signing a professional contract and establishing a long and lucrative professional sports career. Few seem willing intellectually and behaviorally to come to grips with the implications of the fact that less than 2 percent of the basketball and football players in college ever play their sports at the professional level. And, 60 percent of those who do become professionals are out of professional sprots within 3 - 4 years and on "try-out camp" circut, or more tragically, on the street.

To curtail this unconscionable waste of some of our most gifted, aspirant and competitive young people will be neither easy nor quick. It will take a thorough understanding of the complex personal and institutional forces that created and perpetuated this situation and it will take will and wisdom among our political leaders and educators to implement the steps necessary to neutralize the negative impact of those forces.

Through happenstance and paradoxically often the best and the most laudable of intentions, we have created what can only be termed a "collegiate athletic arms race," wherein young scholarship athletes are the most strategic materiel and disproportionately numbered among the casualties.

But what we have created, I am convinced, we can recreate in a more humane, ethical, and productive guise.

I sincerely hope that these hearings constitute a step toward that goal.

Statement of: Harry Edwards, Ph.D.
Department of Sociology
University of California
Berkeley

Senator METZENBAUM. Dr. Edwards has made some strong statements and Ms. Villarosa has raised some issues. I think it would only be fair, Mr. Toner, if you would want to respond, particularly with respect to the matter of the availability of the factual data in compiling the statistics.

Is there a problem in obtaining that information, and if there is, can this committee have the backup information so that we might put it into the record?

Mr. TONER. Senator Metzenbaum, I included that in my statement only for the fact that it is the only available study that we know of that exists at this time. However, the NCAA does have, as the result of proposition 48 and its normal progress rules recently implemented, an academic research committee which is currently serving the two classes, the entering freshmen of 1978 and the entering freshmen of 1982, as two separate cohort groups.

Wherever possible, 205 schools are contributing all of the knowledge necessary to make good data based, solid resource material from which we can determine what we ought to do in the future.

I agree with Dr. Edwards; until we have such solid data base common to all institutions, we will not really have a proper answer to the graduation rates.

Senator METZENBAUM. But, apparently, you are using some figures, indicating that, on an average, 49 percent of high school students who attend college graduate; a fraction less with respect to the football players, as I recollect, and substantially higher with respect—no; I guess it is the other way around, seven points less with respect to the basketball players.

Mr. TONER. Seven-tenths of a point, yes.

Senator METZENBAUM. Seven-tenths of a point.

Mr. TONER. Yes.

Senator METZENBAUM. And with respect to the football players, I think it was seven points less, was it not?

Mr. TONER. Slightly higher for the football players than all male graduates. In that study, 46 schools had 36,000 male students measured in the study. I do not have before me the data that they used, but only the results that they published.

Senator METZENBAUM. And who made the study?

Mr. TONER. The American College Testing Association.

Senator METZENBAUM. Do you have that?

Mr. TONER. I can provide you with that complete study.

Senator METZENBAUM. I think it would be helpful to the committee because whether it is totally accurate or not, these are figures that stand out; they are figures that get picked up in the media. I think it is only fair to see what the backup information is in connection with it.

Let me ask you, Mr. Toner, what attitude would the NCAA take with respect to noncancelable scholarships? Have you considered the subject, and does it make sense—that is, noncancelable except for failure to maintain academic standards?

Mr. TONER. Now, when you say noncancelable scholarships, you must be implying that the grant originally ought to be made for a period of time in excess of 1 year.

Senator METZENBAUM. Correct.

Mr. TONER. Currently, the rule would not allow that. I did mention the intent of the current rule is for the scholarships to be renewed, and the practice on most campuses—and I would quote from the report of the select committee, copies of which you have, and the followup I sent to Senator Stafford.

This is from the committee's findings:

> With the extraordinary time demands that are placed upon student athletes, graduation within the standard time frame is often difficult to achieve. At the expiration of the period of eligibility, many students are within a few units of meeting graduation requirements, but need additional course work to do so.
>
> The committee believes that all institutions should be encouraged to provide financial aid to student athletes who have completed their eligibility so that they will have every opportunity to graduate.

And the emphasis added in my letter is my own:

> This currently seems to be the practice by the great majority of Division I institutions, and we believe that the practice should be universal.

Now, I do think that these hearings could stimulate interest on the part of member institutions to consider implementing legislation that would permit grants-in-aid for beyond 1 year.

I do not, however, see much hope for success unless that same general principle applied to financial aid contracts, as Dean Smith calls them, applying to all students for periods longer than 1 year.

Senator METZENBAUM. Would you think that there might be some propriety in the—"NC2A," is that the proper——

Mr. TONER. "NCAA" is proper.

Senator METZENBAUM. All right. Dr. Edwards said "2A."

The question I have is. I think the committee does have a concern about scholarships that are terminated because the athlete is injured. Has the NCAA done anything about that problem at all?

Mr. TONER. The NCAA has no legislation guaranteeing the continuance of scholarship aid for beyond the period of 1 year. It does have legislation that disallows the gradation of scholarship aid; that is, moving it upward or downward in amount during the period of the award.

It also guarantees in its legislation a due process opportunity for any student-athlete who is denied renewal. Now, in the case of an injured or ill player not renewed, that due process can be heard before the financial aid officer of that institution.

But I would remind you, Senator Metzenbaum, that I think that the practice is very far removed from general; it is very isolated. It is not good business practice in recruiting to have such a record to stand by. I think Dean Smith emphasized that this morning in his own practice. I find that that is true at most institutions.

Senator METZENBAUM. In view of the fact that it is a pretty general practice, and in view of the fact that you obviously from your testimony indicate that you yourself would not look forward upon canceling scholarships by reason of injury, could we urge upon the NCAA that you consider a legislative approach—you call it legislation, and that is fine—a legislative approach at your level which would make it illegal or improper, or whatever, to terminate a scholarship because the athlete who had been awarded a scholarship had been injured?

Mr. TONER. I will make it a point to make this a part of our August meetings of the NCAA council, with the prospect in mind of finding if that body would sponsor such legislation for the next convention.

Senator METZENBAUM. And would you be good enough to report back to the committee as to the reaction?

Mr. TONER. Certainly; I would be delighted.

May I mention one other factor that I alluded to earlier, Senator?

Senator METZENBAUM. Surely.

Mr. TONER. With all of our efforts to implement athletic eligibility standards for entering freshmen and continuing, subsequent eligibility for all athletes throughout their competitive years, it is imperative that our member institutions adopt legislation that would annually require member institutions to demonstrate to the NCAA that they have met in their athletic programs the published standards of admission for all admitted student-athletes, and that the ratio of student-athletes admitted under the published standards of the institution be compared to all students admitted at that institution.

But since the affirmative action programs that John Underwood mentioned and others have echoed—since the implementation of affirmative action, and even before in some instances, member institutions have had what we call special admit programs, which would allow the chief executive officer or a designee to admit a certain percentage of entering freshmen or new students under conditions not consistent with the published standards of normal admissions.

And it is true that athletic interests have taken advantage of these programs, but we would also ask in this new legislation that the annual audit would force each institution's chief executive officer to certify those football and basketball players so admitted under special conditions, and again show the ratio of all students admitted under those special circumstances, and equally on that annual certification and audit, to require the normal progress standards for both separate groups to be reported to the NCAA, and then finally to report annually not only the graduation rates of student-athletes, but to allow that to be published by the NCAA, publicly published for public information.

Until we really implement those kinds of certification and audit programs, which you suggested might be something that the Federal Government would legislate—until we do such a thing, we are still going to be wondering what the other guy is doing.

I think some of the faults of athletics are only because of that fact. Recruiters will come in and report that the other guy is doing this; therefore, we must do it.

Senator METZENBAUM. Do I understand you to say that the NCAA does have legislation to achieve the very matter about which I was speaking in a possible legislative proposal?

Mr. TONER. No, but we have been considering this seriously. It was first suggested to us by the president of Harvard University, and chair of the ACE's committee, Derek Bock.

It is a matter that has been considered, and legislation has been drawn for next January's convention by the NCAA council to bring this to the floor of the convention.

Senator **Metzenbaum**. Let me say that I am certain that I, as well as every other Member of Congress, would far prefer that the NCAA move in areas of concern rather than a legislative approach.

I think it is fair to say that based upon what the chairman had indicated, that there is not going to be any legislation passed in this session of Congress. I can say that to you with just about certainty because we are about ready to recess for several months in the summer. When we come back, it will be priority matters.

By that time, the NCAA will have had its August meeting and its January meeting. I think you are at liberty to indicate that there is interest at the congressional level, and hopefully maybe we can provide a little prod in that direction because I would far prefer to see the NCAA do it than that we attempt to force upon you the obligation to do it.

Let me raise a couple of other questions with you. On the question of the payment of medical bills, it is sort of shocking to me to hear from Mr. Potts this morning that he had to pay for his own bills, and we have heard other reports of that kind.

I have difficulty in comprehending that approach at all. It just seems to me to be—that kind of thing I just have difficulty in following. The question that I have is, does the NCAA have any legislation on this subject, or is it contemplating or considering any legislation along that line?

Mr. **Toner**. It does not have legislation on that line, except general policies that student athletes should be treated no differently than any other student.

Senator **Metzenbaum**. But other students do not get injured on the playing field. If a student is taking math, he is not going to get his shoulder broken.

Mr. **Toner**. I understand that, but I heard those same stories of those abuses, and I would like very much to hear the complete story from both parties. It is a very unusual story that we heard today from Northwestern University.

Recently, I was on a nationally televised talk show where four Northwestern athletes were in the audience and stood and applauded their experience there and their ability to get their degrees and be part of the football program.

I would like to hear what Northwestern would have to say about that, but I agree that if there is an abuse of that type at our member institutions, it should be a concern of not only the NCAA, but the playing conference—the Big Ten Conference itself.

Senator **Metzenbaum**. Ms. Villarosa, have you heard of instances in which athletes have not had their medical bills paid, and I am talking about medical bills having to do with injuries on the playing field?

Ms. **Villarosa**. Well, the story I mentioned this morning with Ronnie Ryan from Marist College was one of them. In fact, he did go to the NCAA to have his own story investigated and he received a letter back. I do not remember exactly what it said, but it was farming his problem out to four other people, including the official of the university, the college president, whom he had already contacted and who basically answered with a polite, "I am sorry; we cannot do anything about it."

So, when he did approach the NCAA to have the matter investigated, he was sent elsewhere.

Senator **Metzenbaum**. Dr. Edwards, have you heard of instances in which athletes have not had their medical bills paid?

Dr. **Edwards** Senator Metzenbaum, each year for about the last 15 years I have spoken at between 100 and 150 colleges and universities in this country each year, lecturing basically on sports and society.

And the two most common problems that I hear from athletes—and I do get a chance to talk to athletes on most of these campuses—is, one, they are being pressured into giving up their scholarships as a result of injury or as a result of not being the blue chip that the coach thought he would be.

And the second thing that I hear most commonly is a concern about, what happpens to me if I am injured. And in numerous cases I find that athletes find out too late that there is a limit on how much the school, the athletic department, will spend for them on an injury.

Virtually, no institution carries catastrophic injury insurance; the NCAA does not require it. I understand that they plan to offer it under circumstances where, I believe, the catastrophic injury—knees, shoulders, and so forth—is up about 18 percent.

In some schools they have actually written into the rules that the school will pay for no second opinions; that the school will not be liable for illness. If this athlete is ill, not as a result of a football or basketball injury, the school will not pay for it.

So, this is a major problem that has simply been swept under the rug, and because you are dealing so often with 17- to 19-year-olds or 19- to 20-year-olds, nobody takes them seriously when they raise these complaints, and they do not know what their rights are under these circumstances.

So, it is a widespread problem; it is simply one that has not been discussed and brought before the NCAA.

Senator **Metzenbaum**. Mr. Toner?

Mr. **Toner**. Senator Metzenbaum, there is an NCAA piece of legislation that speaks to injury and illness exceptions. I must explain that in the sports of football and basketball, athletic grants-in-aid are limited by the number of bodies on that team receiving aid in any form.

In division I football, that number is 95; there may be only 95 football grants at any one time, any one 4-year period. In basketball, the number is 15. There is legislation that removes the number limitation from the member institution in the event of illness or injury.

Now, this is only enabling legislation to enable the institution to carry the student athlete on aid without having to count him or her against the head count of the numbers limitations of grants.

Senator **Metzenbaum**. I understand that, but that does not deal directly with the question of the institution paying for the medical bills.

Mr. **Toner**. That is correct. Now, I do not know of an instance where the member institution will not pay for medical bills, except as Dr. Edwards said, for an illness not incurred in and around athletic experience.

Senator **Metzenbaum**. Well, I think everybody would agree to that.

I wonder, rather than belabor the time of this committee, whether you, Ms. Villarosa, and you, Dr. Edwards, would like to gather some detailed facts for Mr. Toner of athletes whose medical bills in connection with their injuries were not paid for. And the committee would like to have a copy of such communication as you would have with Mr. Toner on that subject because I tell you frankly, that is one that I just have great difficulty in comprehending at all.

It just seems to me to be elementary that if a young man is out on that football field with a broken collarbone, how can you expect him or his family to pay for that, and why would not the college accept the responsibility for it?

So, I would like to get the facts; I do not have the facts. You have mentioned some cases Your response, Dr. Edwards, mentioned that in part, but went beyond that, having to do with the catastrophic kind of illness or injury.

I wish you would write to them, and send a copy to me and Senator Stafford, if you would, please. Now, I am trying to move this along because I want to terminate this hearing soon.

Mr. **Toner**. Senator, if they should do that, I will make every effort to get you a response from the member institutions so named.

Senator **Metzenbaum**. I hope you would do that, but I would also hope that you would bring up to your meeting in August the possible consideration of legislation which would deal with the issue of whether an institution does or does not have a direct responsibility to pay the medical bills in connection with an injury that everyone agrees has resulted from an individual's participation on the football or basketball field, or whatever.

I think it is a matter that deserves the attention of the universities of this country, and I really cannot believe we are talking about significant dollar amounts as far as the totality is concerned, but very obviously very significant as far as the particular individuals are concerned.

Mr. **Toner**. These stories we heard today aside, I know of no institution that would not fulfill that obligation, and I also do not believe that they exist.

Senator **Metzenbaum**. Well, we will ask Ms. Villarosa and Dr Edwards to——

Dr. **Edwards**. May I say one thing simply for the record, and that is that here we are not only talking about injuries. In 1975 an NCAA division I football player had about a 109 percent chance of suffering some injury that would force them to miss some time in practice or a game.

We are also talking about illness because far too many schools, if you read their athletic department medical bylaws, stipulate that the athlete cannot go for a second opinion that the school will pay for. In instances where these young people do not have their own insurance, they cannot fund that themselves.

This essentially puts the school in charge of the total medical surveillance for these young people. Some of these injuries lead to illness, and they should also be responsible for the illnesses that these young people suffer. So it has to go beyond that.

Senator **Metzenbaum**. I would say to you, Mr. Toner, that as one who regularly says to family and others when there is a serious medical problem, get a second opinion, doctors are not infallible——

Mr. **Toner**. I agree wholeheartedly with that.

Senator **Metzenbaum**. Dr. Edwards is saying that in very few instances can the second opinion be made available or demanded. It seems a reasonable approach; I would commend it to you for consideration by the NCAA as to how this matter might be dealt with because, again, we are not talking about tens of millions of dollars. We are talking about very modest amounts of dollars.

I do not think that the medical department of the athletic department should have the final word as to whether a second opinion should or should not be obtained. Frankly, we are going to close this hearing down because the time has expired and I am due elsewhere.

But I want to say that the hearing has been particularly valuable to myself and other members of this committee, who I am sure will give heed to what has taken place. But I think that more important than its value to us is hopefully the value to the NCAA because witness after witness has indicated that it is the responsibility of the presidents, responsibility of the coaches, responsibility of the universities or the colleges.

It is a fact that if you do not police your own problems and move in the appropriate direction of fairness to these young athletes, then there will be a legislative proposal somewhere down the line.

I would hope we would not have to go that way, and I would hope that this hearing, if nothing else, would serve as a prod to the NCAA to give its early attention to some of these problems.

I might also say that I want to thank you, Ms. Villarosa. Frankly, it was part of your comments on a national TV program that caused this Senator to take particular interest in this subject.

Certainly you, Dr. Edwards, have indicated over a long period of time your concern about this issue; and, Dr. Foote, your reputation and standing in this entire community. It is very telling and sort of pleasing to hear you say that at the same time we won the national championship, we also were admitted to Phi Beta Kappa, and we know what that means. It is a tribute to you and we appreciate the leadership you have provided in this area.

Unless somebody is bursting with some final comment that they want to make, the Chair is going to close down the hearing and express my gratification to all of you.

[Whereupon, at 12:33 p.m., the subcommittee was adjourned.]

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